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Authenticity and Forgery in Eighteenth-Century Britain

A thesis submitted to the University of Bristol

in accordance with the requirements

for the degree of Ph.D.

in the Faculty of Arts (Department of English)

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by Paul Timothy Baines

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ABSTRACT

This thesis documents the use of a vocabulary of criminality in dealing with certain literary acts in the eighteenth century. By drawing comparisons with contemporary writing on forgery as a crime it is hoped to derive the common cultural factors which made 'the house of forgery' a common theme in the period.

Introduction. Critics identified a world of interpolation and 'forgery' in classical, scriptural and English texts; this justified editorial alterations which could in turn be denounced as crimes. Forgery seemed a pernicious act in the clash of value-systems peculiar to a new credit economy, although the incidence of prosecutions was quite low. But in terms of authorial rights and contested literary property, forgery (the theft or imitation of a name or style on a document bearing credit or value) was a relevant analogy for bookseller's practice. In literary controversy and monetary debate alike, the rhetorical appeal to absolute standards of proof and legal action masked relative economic and political assumptions.

Chapter One. At a time when the laws against forgery were being strengthened, Pope made detailed attacks on several forgers; their cases transgressed economic and ethical codes against monetary and personal fraud.

Chapter Two. Pope used a writer who was accused of forging the will of another writer in an influential depiction of Grub Street fraud.

Chapter Three. Courtroom rhetoric was at its strongest in the case of William Lauder, even in Johnson's defence; the theory of literary property and originality is the source of the criminal idea here.

Chapter Four. Johnson's dismissal of Ossian worked with standard legalistic rhetoric but also by the latent force of style. A true authorial persona stood as a historical and literary guarantee against an Ossian lacking in true identity and originality. .

Chapter Five. The prosecution of William Dodd illustrates how differently forgery could be perceived later in the period. But Johnson's attempt to script Dodd's penitence in the midst of some dubious literature and information led to problems of authorship and attribution which had wide implications for the notion of biography in Boswell's documentation of the episode.

Chapter Six. The nature of the documents Chatterton offered to Walpole and the exchanges he made placed his work within the constraints of antiquarian values: an economy of document-collecting and evidence-gathering, and a palaeography which concentrated on writing as money or

property, intensified the standard notions of literary authenticity.

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The work was supervised by Professor Pat Rogers, now of the University of South Florida, with Professor John Burrow of Bristol University stepping in towards the end; their tactful and constructive encouragement has been truly useful. I have used word-processing facilities made available by Dr. R. McGuinness and Dr. C. Harvey of Royal Holloway and Bedford New College, and have received advice in their use from Cathy Clarke and Dr. P. Hartland of the same institution; Miss J. Barton, also of RHBNC, has helped a great deal in the final stages. To my parents, for not asking when it would be finished, I dedicate this thesis.

AUTHOR'S DECLARATION

I certify that this thesis is my own unaided work, produced without the collaboration of other researchers. Such assistance as I have received from supervisors, scholars and librarians is acknowledged in the text.

A handwritten signature in cursive script, reading "Paul Baines". The ink is dark and the handwriting is fluid, with a large initial 'P' and a trailing flourish.

Paul Timothy Baines

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'every coin has its counterfeit, every art its pretender, every whore her admirer, every error its patron, and every day has its devil'

(Daniel Defoe, *The History of the Devil*, in *The Works of Daniel De Foe, with a memoir of his life and writings*, edited by William Hazlitt, 3 vols (1840-1843), III, 85.)

'Counterfeit Coin, supposeth that there is such a Thing in the World as good Money'

(John Douglas, *The Criterion* (1754), p.35)

INTRODUCTION: AREAS OF CONTROVERSY

Part One: The Scholar as Detective

a: The Classic Text

We have all the evidence, both internal and external, to vindicate our poet from this bastard issue... if any proof can be formed from manner and style, then these should be sent packing, and seek for their parent elsewhere. How otherwise does the painter distinguish copies from originals? And have not authors their peculiar style and manner, from which a true critic can form as unerring a judgement as a painter? ... I dare say there is not any one scholar, that now believes Phalaris's epistles to be genuine.'

This is a study in detection, rather than crime. In the eighteenth century an unprecedented cluster of 'literary forgeries' were discovered; criminal forgery emerged as a definite problem for the courts. Sometimes there seemed to be no difference between the two; and it is this theme, as it is found in the writings of Pope, Johnson, Walpole and their contemporaries, that I wish to pursue. In the first section of this Introduction we will be examining some of the controversies which eighteenth-century scholars initiated in their study of earlier literature. We will see a strong, even aggressive theory of authorial property and integrity assert itself; and will note how infringements of these 'rights', by forgery or

¹John Upton, *Critical Observations upon Shakespeare*, second edition (1748), p.289.

interpolation, are described in specifically legal and criminal terms. Much of the material will concern manuscripts, either tangible or theoretical; we begin with an example of the former.

Among the Royal manuscripts in the British Library there survives a text of some letters in the name of Phalaris, an early Sicilian tyrant.² In 1694 this manuscript was in the care of Richard Bentley, the Keeper of the King's Library. In that year an attempt to collate this manuscript and publish an edition of the *Epistles* resulted in an abusive controversy, the language of which set the tone for discussion of a class of literary activity.

The editor was the young Charles Boyle, later 4th Earl of Orrery. In a Latin preface Boyle took special notice of Bentley's 'singular humanity' in restricting his use of the manuscript. But Boyle's edition was not only a personal affront. Its gentlemanly, tasteful style was in keeping with the easy recommendation of the *Epistles* given by Temple and (later) Addison.³ Critical apparatus was dismissed as clumsy and unnecessary, issues of authorship unimportant. When Bentley replied, it was in critical as well as personal terms.

²Royal 16.D.II.

³*Sir William Temple's Essays on Ancient & Modern Learning and On Poetry*, edited by J. E. Spingarn (Oxford, 1909), pp.34-35; Addison, *Spectator*, no.349 (10 April 1712).

Today, if the Phalaris text is known at all, it is regarded as 'pseudepigraphical' or at most 'spurious'.⁴ Bentley treated the letters as if they were on trial, the work of some malevolent sophist-forgers, counterfeiting the regal style for gain. Despite the protestation of impartiality towards 'our Forger', and the promise to 'proceed with him upon lawful Evidence, and a fair, impartial Trial', the real decisions are inherent in the very language of discussion.⁵ By page 22, in any case, 'our Sophist stands fully convicted, upon this Indictment, of forgery and imposture'. The clues or 'evidence' presented by Bentley (matters of dialect, chronology, geography) do not concern us here, although one criterion, the giveaway imitation of supposedly more recent writers, will be a crucial issue later on. I wish rather to stress the uniformity of expression with which Bentley's project (the damning of texts in the name of Themistocles, Socrates, Euripides and AEsop - another of Temple's favourites - and numerous other 'impostures of this sort') was carried out. The forgers were everywhere, arraigned and punished by a vocabulary of advocates, clients, witnesses, convictions, and pillories.

The case was general: 'to forge and counterfeit Books, and father them upon Great Names, has been a Practice

⁴See Rudolf Pfeiffer, *A History of Classical Scholarship from 1300 to 1850* (Oxford, 1976), p.152, n.1.

⁵*A Dissertation on the Epistles of Phalaris, Themistocles, Socrates, Euripides and AEsop's Fables*, in William Wotton, *Reflections Upon Ancient and Modern Learning*, second edition (1697), p.13.

almost as old as Letters'; 'an Author, that wrote for Bread' would produce forgeries as a matter of course. A number of cases, stretching across history, is cited, including 'that Scandal to all Forgeries', the recently-discovered complete Petronius.⁶ A whole history of literary forgery is recovered and revealed; various texts - letters, archives, literary works - are classed under the single dismissive heading of 'forgery', with the diminution of response and explanation that legal category enjoins. The transition from Boyle's elegant Latin to Bentley's English manifesto marks the entry into legalistic experience in the world of literary controversy.

Some foresaw chaos 'if there must be the same strict Evidence for Authors of Books, as there is often in Law for those of Facts... as an Oath is sometimes required, in judicial process, to a Person's Hand or Writing';⁷ but Boyle and his coadjutors (such as Francis Atterbury, George Smalridge, Anthony Alsop, Richard and John Friend) accepted the challenge as it stood. They too summed up their 'Evidence', declaimed against 'Suborn'd Witnesses' ('there are several material Circumstances that disparage

⁶Dissertation, pp.7-10. See also Joseph Warton, *An Essay on the Writings and Genius of Pope*, 2 vols (1756-1782), I, 175. The discoveries are related by J. A. Farrer, *Literary Forgeries* (1907), pp.13-25. The fragments were included in *The Satyr of Titus Petronius Arbiter, A Roman Knight* (1694), *Titii Petronii Arbitri, Equitatis Romani, Satyricon* (1707), and *The Satyrical Works of Titus Petronius Arbiter, In Prose and Verse* (1708).

⁷A Letter to the Reverend Dr. Bentley (1699), p.2.

this One Witness's Testimony'), and though it was admitted that Bentley 'may attaint Phalaris... upon a Single Evidence' yet 'he can never in the Common Course of Justice convict him':

I doubt not but that the Reader, upon a fair and impartial View of what has been said to this Article of Dr. Bentley's Indictment against Phalaris, will pronounce him Not Guilty.⁸

Bentley replied with an independent and much-expanded *Dissertation* which loaded the case with scores of new or notorious forgeries.⁹

b: The English Classic

Bentley's discovery of a world of textual corruption was part of the lifelong project which also revealed the incompetence or interference of the scribes who copied Horace, Manilius, Cicero, Callimachus and Terence.¹⁰ Bentley did not confine himself to the classical canon, but carried his radical editorial theory into the heart of English literature. His *Milton's Paradise Lost: A New Edition* (1732) proposed several hundred emendations to

⁸*Dr. Bentley's Dissertation on the Epistles of Phalaris, and the Fables of AEsop, Examined by the Honourable Charles Boyle, Esq.* (1698), pp.90, 131, 148, 155.

⁹*A Dissertation upon the Epistles of Phalaris: With an Answer to the Objections of Charles Boyle, Esq.* (1699).

¹⁰See R. C. Jebb, *Bentley* (1882), pp.129-131, 144, 209.

Milton's text,¹¹ and is generally regarded as an eccentricity; but the villain of the piece bears a certain likeness to the sophist-forgery of the Phalaris debate and the meddlesome clerks castigated in Bentley's classical editions. In this case, Bentley theorized an editor-forgery, who 'knowing Milton's bad Circumstances... thought he had a fit Opportunity to foist into the Book several of his own Verses, without the blind Poet's Discovery'. This malign editor, who 'durst insert his Forgeries, even in the second Edition' appears in the notes throughout as Bentley marks off his interpolations with a hook-sign: 'I cannot but restore these six Lines to the Editor, as his proper Goods, with his own Mark upon them'. A psychology of forgery is put forward, while Bentley confidently produces the reading Milton 'must have' dictated.¹²

Rudolf Pfeiffer comments that Bentley's decision to conduct the debate on Phalaris in English was 'an innovation that marks an epoch in classical scholarship',¹³ and the edition of Milton further emphasized that textual criticism had come home to roost among the vernacular classics. Clarke has drawn attention

¹¹These were also published in a separate pamphlet: *Dr Bentley's Emendations on the Twelve Books of Milton's Paradise Lost* (1732). The emendations from his *Horace* of 1711 were collected in *Horatio Reformatus* (1712).

¹²See pp.13, 68, 264, 348. The classic study of the edition is J. W. Mackail, 'Bentley's Milton', *Proceedings of the British Academy*, XI (1924-1925), pp.55-73. For a recent treatment see John K. Hale, 'Notes on Bentley's Edition of *Paradise Lost*', *Milton Quarterly*, 18.i (March 1984), pp.46-50.

¹³Pfeiffer, *History of Classical Scholarship*, p.150.

to the figures of Tyrwhitt and Twining as agents of this process in the study of earlier English literature;¹⁴ but the real growth area in this industry was in Shakespeare scholarship. In the First Folio of 1623, Hemings and Condell had denounced 'diuerse stolne, and surreptitious copies, maimed, and deformed by the frauds and stealthes of iniurious impostors',¹⁵ but thereafter textual matters had rested. The Folio was reproduced throughout the century, and the second issue of the third edition (1664) acquired seven new plays, with little critical notice. But eighteenth-century editions all have a new issue to tackle: the canon and the text. Rowe doubted *Pericles*, while Pope threw out the apocryphal plays; Theobald accepted the judgement, whilst asserting of the plays in which Shakespeare's 'Title' was in dispute: 'I can, beyond all Controversy, prove some Touches in every one of them to come from his Pen'.¹⁶ Other critics were similarly anxious to separate spurious from genuine.¹⁷

¹⁴M. L. Clarke, *Greek Studies in England 1700-1830* (Cambridge, 1945), pp.58, 150-151.

¹⁵'To the great Variety of Readers', in *Mr. William Shakespeares Comedies, Histories, & Tragedies: Published according to the True Originall Copies*, sig. A3.

¹⁶*The Works of Mr. William Shakespear: In Six Volumes*, edited by N. Rowe (1709), pp. vii, xxxix-xl; Pope, 'Preface' to *The Works of Shakespeare: In Six Volumes* (1725), in *Prose Works 1725-1744*, pp.23-24; *The Works of Shakespeare: in Seven Volumes*, edited by L. Theobald (1733), I, vii. For Gildon's early attack on the seven plays see Lynch, *Jacob Tonson*, p.131.

¹⁷Upton, *Critical Observations upon Shakespeare*, pp.lxi, 284-291; Richard Farmer, *An Essay on the Learning of Shakespeare*, second edition (1770), pp.25, 76; Benjamin Heath, *A Revisal of Shakespeare's Text* (1765), pp.370-371; James Hurdis, *Cursory Remarks upon the Arrangement of the Plays of Shakespeare* (1792), passim.

Johnson attributed some ascriptions to deliberate imposition:

all the plays which were rejected by the first collectors of Shakespeare's works, and admitted in later editions, and again rejected by the critical editors, had Shakespeare's name on the title, as we must suppose, by the fraudulence of the printers, who, while there were yet no gazettes, nor advertisements, nor any means of circulating literary intelligence, could usurp at pleasure any celebrated name.¹⁸

This bears comparison with Bentley's rejection of *Phalaris*. In textual matters, too, the methods of classical scholarship began to appear. Rowe endeavoured to 'compare the several Editions, and give the true Reading' (though he could not 'pretend to have restor'd this Work to the Exactness of the Author's Original Manuscripts');¹⁹ Pope paraded the editions consulted in attempting to rectify the appallingly corrupt state of the text. All editors acknowledged the correctness of this aim, which they further claimed for their own editions: Warburton maintained that 'The Genuine Text (collated with all the former Editions, and then corrected and emended) is here settled'.²⁰ Nor were the villains required by

¹⁸Yale Johnson, VIII, 750; compare the remarks on pp.611-612, and VII, 94, 163, 173, 287, 428. Notes from Johnson's edition of Shakespeare, and related writings, are cited from these two *Johnson on Shakespeare* volumes.

¹⁹'Dedication' to *The Works of Mr. William Shakespear*, I, A²-v.

²⁰*The Works of Shakespear in Eight Volumes*, edited by William Warburton (1747), I, ix; Yale Johnson, VII, 94; *The Works of Shakespear: In Six Volumes*, edited by Sir Thomas Hanmer (Oxford, 1744), I, i.

Bentleian rhetoric far to seek: 'the ignorance of the Players, both as his actors, and as his editors', led, according to Pope, not only to careless printing but interpolation as actors trimmed or swelled speeches which were then 'conveyed into the printed text, and all stand charged upon the Author'.²¹ Acting on this theory, Pope dismissed several hundred lines of verse, and sometimes whole scenes, as spurious. The player-interpolator haunts Pope's notes as the editor-forgers does Bentley's; Pope's text is adorned with asterisks and relegated passages, Bentley's with hooks and italics.²²

c: The Editor as Forger

Pope's zeal to identify textual corruption as rife and the players as its source is similar to the arguments used by early critics on the text of Euripides.²³ It is of some interest that when Pope chooses to distance himself from the methods of Bentley, he calls him Aristarchus, invoking the name of the chief of those Alexandrian critics notorious for their 'willingness to condemn lines as spurious' on grounds of taste.²⁴ Several times Pope mocks

²¹'Preface' to *The Works of Shakespeare*, in *Prose Works 1725-1744*, pp.20-21.

²²Johnson was somewhat less inclined to ascribe errors to deliberate falsification: *Yale Johnson*, VII, 24, 51-52, 92, VII, 776.

²³See L. D. Reynolds and N. G. Wilson, *Scribes and Scholars*, second edition (Oxford, 1974), pp.10-15.

²⁴Reynolds and Wilson, *Scribes and Scholars*, pp.10-12.

Bentley's 'desp'rate hook', alluding to the sign-system developed by Aristarchus to indicate interpolations and adopted by Bentley (and Pope).²⁵ 'Richard Aristarchus' contributes a pedantic essay to the annotated *Dunciad* and later appears in person, complete with hook and contempt for Phalaris.²⁶ The format of the poem allows Pope to satirize the work of commentators in context; Theobald (ousted from his role as the hero of the earlier version), Bentley and Scriblerus all present notes interfering with the text. Indeed, all three critics attempt to emend the title itself. There is a progressive exfoliation of intent, from the ominous promise of a 'restored' Vergil, through Bentley's detection of an editor's interpolations and his arrogant dismissal of evidence ('so indeed all the MSS. read; but I make no scruple to pronounce them all wrong') to disputes with the author himself.²⁷ The Editor has now become the forger, the 'interpolator' he detects being a projection of his own function.

Whatever the ironies of Pope's personal position as an editor, the prejudice he invokes against textual criticism is a pervasive one. Addison had belittled the whole science in *Spectator*, no.470 (29 August 1712), and further

²⁵See *The First Epistle of the Second Book of Horace, Imitated*, ll.103-104; *Epistle to Dr. Arbuthnot*, l.164; *TE*, IV, 108, 203.

²⁶See *Dunciad* (B) IV.195-274; *TE*, V, 361-371, 254-265.

²⁷See *Dunciad* (B) I.1, 85-86, 218; IV.43, 181-182, and notes; *TE*, V, 267, 275, 286, 345, 359-360.

generalized Scriblerian parodies followed the *Dunciad*.²⁸ Bentley had always been a target, and Pope was not the first to pick up on his arrogation of the 'Aristarchus' tag; Richard Johnstone's *Aristarchus Anti-Bentleianus* of 1717 gives a model exposition of Bentleian meddling with the text of the ballad *Old Tom Bostock*.²⁹ The edition of *Paradise Lost* brought more of the same, Theobald being the only writer to offer any defence.³⁰ The edition was parodied in James Bramston's *The Crooked Six-Pence* (1743), and its method attacked as 'interpolating by guess' in *Milton Restor'd and Bentley Depos'd* (1732). Pope's friends, the Jonathan Richardsons, reaffirmed the essential integrity of the text - ^{the}Finished, ^{the}Genuine, ^{the}Uncorrupted' - and dismissed Bentley's forger-editor as a mere 'Pretence or Excuse' for a 'New Editor': 'let him not Palm Himself upon us as a Genuine Milton'.³¹

This return of an editor's criticism upon himself applies also in Shakespeare scholarship. Pope claims that

²⁸Henry Fielding, *The Tragedy of Tragedies; or, The Life and Death of Tom Thumb the Great* (1731), and *The Vernon-iad* (1741); *The Gymnasiad; or, Boxing Match* (1744).

²⁹See James Henry Monk, *The Life of Richard Bentley, D. D.* (1830), pp.340-341; Jebb, *Bentley*, p.210; and *Aristarchus Ampullans in Curis Horationis* (1712).

³⁰Significantly, in his *Shakespeare*, I, xxxix-xl.

³¹*Explanatory notes and remarks upon Milton's Paradise Lost* (1734), in *The Early Lives of Milton*, edited by Helen Darbishire (1932), pp.302-310. See also Johnson, *Milton*, in *Lives of the English Poets*, I, 84-201, at p.181; Zachary Pearce, *A Review of the Text of the Twelve Books of Milton's Paradise Lost* (1733); Upton, *Critical Observations on Shakespeare*, p.133; David Mallet, *Of Verbal Criticism* (1733); *A Friendly Letter to Dr Bentley: Occasioned by his New Edition of Paradise Lost* (1732).

in rescuing Shakespeare's text from the Players he has proceeded

with a religious abhorrence of all Innovation, and without any indulgence to my private sense or conjecture... The various Readings are fairly put in the margin... and those that I have prefer'd into the text are constantly *ex fide Codicum*, upon authority.³²

But Theobald's *Shakespeare restored* of 1726 set out to reveal Pope's editing as a 'sham, and Theobald's own edition gleefully unmasked several 'unwarranted' alterations or 'Sophistications of the Text, which Mr. Pope, notwithstanding his Assertions to the contrary, has obtruded upon us, without any Countenance or Authority from the old Books'.³³ Theobald himself was next; his edition promised that Shakespeare's 'genuine Text is religiously adhered to... Nothing is alter'd, but what by the clearest Reasoning can be proved a corruption of the true Text, and the Alteration, a real Restoration of the genuine Reading', but the justification of emendations by such comments as 'the Coin, indeed, has been clipt from our first receiving it; but it is not so diminished, but that, with a small Assistance, we may hope to make it pass

³²'Preface' to *The Works of Shakespeare*, in *Prose Works 1725-1744*, pp.24-25.

³³*The Works of Shakespeare*, VI, 390. John Roberts defended the editorial practice and integrity of the 'Players' in *An Answer to Mr. Pope's Preface to Shakespeare* (1727). On Pope's editing see John A. Hart, 'Pope as Scholar-Editor', *Studies in Bibliography*, XXIII (1970) pp.45-59.

current' leaves the result vulnerable.³⁴ When Warburton published his 'Genuine Text... restored from the *Blunders* of the first Editors, and the *Interpolations* of the two Last', Theobald and Hanmer were the editors so branded.³⁵

In Theobald's case the issue was complicated by his publication in 1728 of *Double Falsehood; or, The Distrest Lovers*, 'written originally by W. Shakespeare'. Theobald claimed possession of three manuscripts, one of them given by Shakespeare to a 'natural daughter'; style further guaranteed authenticity. Pope however assigned the authorship to Theobald in quoting from the play in *Peri Bathous* and labelled it 'spurious' in the list of editions in the second edition of his own Shakespeare.³⁶ In the *Grub-street Journal*, no.97 (11 November 1731) a bill against literary forgery was introduced in quite specific terms, defining as an offence the 'affixing of names of deceased persons' to modern writings 'in order to raise the price thereof' and specifying that 'if any person shall be hereof duly convicted, according to law, he or she shall suffer the punishment inflicted on persons convicted of forgery, and shall be held, accounted, and

³⁴*The Works of Shakespeare*, I, xl, VII, 321; *Shakespeare restored*, p.107.

³⁵Hanmer also advocated cautious emendation (*Works of Shakespeare*, I, iii) and was also criticized: Yale Johnson, VII, 45, 978; Edward Capell, *Notes and Various Readings to Shakespeare*, Part the First [1775], p.4.

³⁶*Prose Works 1725-1744*, pp.199, 211, 223; for Theobald's reply see *Mist's Weekly Journal*, no.158 (27 April 1728). See also Farmer, *Essay on the Learning of Shakespeare*, p.26.

deemed guilty of forgery to all intents and purposes'. Theobald however was granted a mock patent to affix Shakespeare's name to any work he might compose, and in the next issue (no.98, 18 November) he was shown deserting his legal studies to forge the play: 'Strange! he in Poetry no forgery fears, /That knows in Law he'd lose his ears!'.³⁷

Such another controversy did not recur until the days of Malone and W. H. Ireland, but allegations of editorial malpractice continued uninterrupted. Warburton's text fared no better than Theobald's, and his criticism of interfering editors boomeranged upon himself.³⁸ Benjamin Heath used the example of Warburton to attack the new mode of criticism as a whole:

Under the specious pretence of re-establishing his genuine text, they have given it us mangled and corrupted... and by discarding the traditionary reading, and interpolating their own fanciful conjectures in its place, they have... endeavoured to continue the corruption down to distant posterity.³⁹

³⁷See B. S. Hammond, 'The Performance History of a Pseudo-Shakesperian Play: Theobald's *Double Falsehood*', *BJECS*, VII.i (Spring 1984) pp.49-60, at 53-54. The loss of ears was a punishment for forgery which had been inflicted for the last time just six months previously; see below, Chapter One.

³⁸See *An Attempt to Rescue that Aunciente, English Poet, and Play-Wrighte, Maister Williaume Shakespere* (1749), pp.iii-viii, 27, 29; Thomas Edwards, *The Canons of Criticism*, third edition (1750), pp.1-82; Zachary Grey, *Remarks upon a late Edition of Shakespeare* (1755); Upton, *Critical Observations upon Shakespeare*, pp.lvii-lviii. In *A Treatise of the Improvements Made in the Art of Criticism* (1748), Warburton's training as an attorney is said to help make the most of 'bad Evidence' (pp.55-57).

³⁹*Revisal of Shakespeare's Text*, p.vi.

Johnson, who commented on the 'implacable anger' with which editors pursued each other, nonetheless sought out 'clandestine alterations' made by his predecessors. He rejected Pope's 'imagined interpolators' and stated his dislike of conjecture; he rejected previous claims to collation and staked his own.⁴⁰ To no avail: the editor was swiftly attacked for, as usual, seeking corruption where none existed, foisting in unwarranted material, and failing to revere the text.⁴¹

d: Religion and History

If we turn to two other areas of debate, we can see the same themes coming to the fore. In theological controversy, the demand for authenticity was part of a thoroughly legalistic culture of argument in which 'evidence' forms the key issue. Thomas Sherlock's *The Tryal of the Witnesses of the Resurrection of Jesus* (1729) is a full-dress courtroom drama in which judge, jury and counsel litigate gospel testimony: 'I am sure you wou'd be unwilling to determine a Property of Five Shillings upon such Evidence, as you now think material enough to overthrow the Miracles of Christ'; 'I have long been in possession

⁴⁰Yale Johnson, VII, 72, 104-106, 355,^{VIII}661.

⁴¹William Kenrick, *A Review of Dr. Johnson's New Edition of Shakespeare* (1765).

of all that I claim... If the Gentleman has any thing to say to dispossess me...'. The sealing of the tomb is likened to the sealing of document, witnessing the resurrection to witnessing a will.⁴²

The pursuit of proof, and sceptical condemnation of evidence, formed a major strand of the continuing argument about the status of miracles; Bolingbroke uncovered historical falsification in the scriptures as a whole.⁴³ Forgery became a central concern. Catholics were especially suspect: Thomas Traherne argued that of all its guises, 'the highest degree of Forgery is that of altering the Holy Scriptures', a crime specifically Catholic: 'they have either depraved by altering the Text, or falsified, as it were, by the Whole-sale, in the intire Lump'. Legal analogy helps the argument along:

there was never any Deed forged, wherein the larger half, being directed purely according to form of Law, was not Good. But if for that cause, when it comes to be Scanned, the forger at every Detection should say, This was forged indeed, but the rest is good; the Court would laugh at him.⁴⁴

⁴²*Tryal of the Witnesses*, pp.4, 7, 34, 74.

⁴³See R. M. Burns, *The Great Debate on Miracles From Joseph Glanvill to David Hume* (London and Toronto, 1981); Henry St. John, Viscount Bolingbroke, *Historical Writings*, edited by Isaac Kramnick (Chicago and London, 1972), p.51.

⁴⁴*Roman Forgeries: Or, A True Account of False Records Discovering the Impostures and Counterfeit Antiquities of the Church of Rome* (1673), 'To the Reader', and pp.3, 235 (mis-numbered 215).

Mention of the Donation of Constantine and the Decretals of Isidore formed a touchstone of anti-Catholic sentiment throughout the period.⁴⁵

However, Anglicans could divide along the line of forgery as well. In Swift's *Tale of a Tub*, Christianity is imagined as a will, a legal text, with a specified author. Various interpretations and interpolations alter, mangle and forge the text to suit Catholic or Dissenter.⁴⁶ This is a fit image for a theology which became increasingly preoccupied with textual matters in discussing scripture and associated writings.⁴⁷ As with Shakespeare, both canon and text were in doubt. Both testaments came under fire: Psalms, Revelations, Matthew, the whole of the Pentateuch were questioned and as hotly

⁴⁵See Traherne, *Roman Forgeries*, pp.14, 149-150, 244-277; Thomas Comber, *Roman Forgeries in the Councils during the First Four Centuries* (1689), pp.6, 13; John Jenkin, *Historical Examination of the Authority of General Councils* (1688), p.2. On the documents in question see Farrer, *Literary Forgeries*, pp.126-144.

⁴⁶*Prose Writings of Swift*, I, 44, 50-55, 75, 121-122. John Arbuthnot used the same metaphor as a political device; see *The History of John Bull*, edited by A. W. Bower and R. A. Erickson (Oxford, 1976), p.78.

⁴⁷For examples of the latter see William Whiston, *An enquiry into the Evidence of Archbishop Cranmer's Recantation* (1736), *Athanasius Convicted of Forgery* (1712), and *Athanasian Forgeries, Impositions and Interpolations* (1736); *Calumny no Conviction* (1713), and Styan Thirlby, *A Defence of the Answer to Mr. Whiston's Suspicions* (1713); Nathaniel Lardner, *A Dissertation upon the Two Epistles ascribed to Clement of Rome* (1753); William Wake, *The Genuine Epistles of the Apostolical Fathers* (1693); Anthony Collins, *Priestcraft in Perfection* (1710).

reinstated.⁴⁸ Paley established the authority of the Pauline epistles by defending them from an imaginary charge of forgery, and proving that they were better attested than the *Epistles of Phalaris*.⁴⁹ Forgery could even be used to consolidate the status of the genuine:

Great pains have indeed been taken to prove, that some spurious pieces were published under the names of the apostles... But surely this must imply, that...the apostles did write some narrations of this kind; as counterfeit coin implies some true money..⁵⁰

The crucial point to defend was that 'the Books of the New Testament are the genuine Writings of the Persons whose Names they bear'.⁵¹ To this end they were granted a sort of legal literary property: 'that the four Gospels were truly wrote by the Persons whose Names they bear, and

⁴⁸See Peter Annet, *The Resurrection of Jesus Considered* (1744), pp.28, 32, *The Resurrection Reconsidered* (1744) pp. 50-53, *The Resurrection Defenders Stript of all Defence* (1745), pp.60, 66, 79-80; *A Discourse Historical and Critical, on the Revelations ascribed to St. John* (1730); Jeremiah Jones, *A New and Full Method of Settling the Canonical Authority of the New Testament*, 2 vols (1726); *A Dissertation: or, Inquiry Concerning the Canonical Authority of the Gospel according to Matthew*, second edition (1732); Leonard Twells, *A Vindication of the Gospel of St. Matthew* (1732); John Williams, *A Free Enquiry into the Authenticity of the First and Second Chapters of St. Matthew's Gospel*, second edition (1789); J. G. Velthussen, *The Authenticity of the First and Second Chapters of St. Matthew's Gospel, vindicated* (1771).

⁴⁹*Horae Paulinae* (1790), especially pp.1-5, 27, 54, 115, 156, 191, 397. Compare Addison's defence of Justin Martyr in *Of the Christian Religion*, in *Miscellaneous Works, in Verse and Prose*, edited by Thomas Tickell, 3 vols (1736), III, 273-328, at p.278.

⁵⁰Philip Doddridge, *The Evidence of Christianity briefly stated*, in *The Protestant System*, 2 vols (1758), I, 371-396, at p.390. Compare Peter Whalley, *A Vindication of the Evidence and Authenticity of the Gospels* (1753), p.19.

⁵¹*A Defence of the Scripture-History* (1730), p.45.

are therefore Authentic, we have all the Evidence that can reasonably be desir'd'; 'after so long, so uninterrupted a possession, it may^{probably}/be matter of astonishment to find the rights of their authors should be at last contested'.⁵² Surely style was guarantee enough:

no age can counterfeit Cicero, Terence, St. Mark, St. John, St. Paul, no more than a counterfeit picture, or medal, can be imposed on and deceive the complete masters and judges of those ingenious professions and sciences.⁵³

Yet even if authorship was clear, the textual question remained. Tindal put the point forcibly:

If no Court of Judicature, tho' in a Thing of small Moment, will admit of a Copy, tho' taken from the Original, without Oath made by a disinterested Person of his having compar'd it... how can we absolutely depend in Things of the greatest Moment, on voluminous Writings, which have been so often transcrib'd by Men, who never saw the Original...? And Men too, who even in the earliest Times, if we may judge by the Number of forg'd Passages, and even forg'd Books, would scruple no pious Frauds...⁵⁴

⁵²Whalley, *Vindication*, p.33; Abraham Lemoine, *A Treatise on Miracles* (1748), p.396; compare *A Letter to a Lady* (1732), p.48; Edmund Gibson, *The Bishop of London's Third Pastoral Letter* (1731), pp.63-64; Twells, *Vindication of the Gospel*, p.24.

⁵³Thomas Amory, *The Life and Opinions of John Buncl, Esq.*, edited by Ernest Baker (1904), p.211; for scripture as literature in this sense see also Doddridge, *Evidence of Christianity*, pp.391-393; Gibson, *Third Pastoral Letter*, p.67; Twells, *Supplement to the Vindication of the Gospels of St. Matthew* (1733), p.60.

⁵⁴Matthew Tindal, *Christianity as old as the Creation* (1730), p.324; compare Collins, *A Discourse of Free-Thinking* (1713), pp.53-55, 86-99.

The claim was met by, among others, Bentley;⁵⁵ but his proposal to edit the New Testament seemed only to transfer the issue of corruption to Bentley's own well-known methods (Theobald once more supported him).⁵⁶

There was also the question of interpolation. Apart from the instances discovered by Whiston and Williams (and duly denied by others)⁵⁷ there was the notorious 'comma Johanneum', or text of the three holy witnesses (I John 5.7). The line had been rejected by Erasmus, but remained alive throughout the century despite attacks by Bentley, Whiston, Gibbon, Porson and others.⁵⁸

⁵⁵*Remarks upon a Late Discourse of Free Thinking*, in *The Works of Richard Bentley, D.D.*, edited by A. Dyce, 3 vols (1836-1838), III, 287-474, at pp.340-361. Compare Amory, *Buncle*, p.211; Gibson, *Third Pastoral Letter*, pp.66-67.

⁵⁶See *Dr Bentley's Proposals for Printing a New Edition of the Greek Testament and St. Hierom's Latin Version*, in *Works of Bentley*, III, 477-538; Theobald, *Shakespeare restored*, sig. B2v. For attacks see *Two Letters to the reverend Dr. Bentley* (1717), p.3; *A Letter to the Reverend Master of Trinity College* (1721), p.21; Conyers Middleton, *Remarks*, paragraph by paragraph, upon the *Proposals* (1721), p.14, and *Some Farther Remarks*, paragraph by paragraph, upon *Proposals lately published* (1721), pp.11, 30, 65-69 and 55 (for a reference to Phalaris).

⁵⁷Whiston, *An Essay towards restoring the True Text of the Old Testament* (1722), especially pp.53, 115, 220-281, and *A Supplement to Mr. Whiston's Late Essay* (1723); Williams, *Free Enquiry*, pp.8-20. For replies see William Itchener, *A Defence of the Canon of the Old Testament* (1723); and J. G. Carpzov, *A Defence of the Hebrew Bible* (1729), pp.xii, 311, 328, 332.

⁵⁸See Jebb, *Bentley*, pp.162-163; Whiston, *Athanasian Forgeries*, p.3; *The Autobiography of Edward Gibbon*, edited by Lord Sheffield (1935), pp.192-193; Richard Porson, *Letters to Mr. Archdeacon Travis* (1790); D. Martin, *A Critical Dissertation upon the Seventh Verse of the Fifth Chapter of St. John's First Epistle* (1719), and *An Examination of Mr. Emlyn's Answer* (1719). Defences of the text included Twells, *A Critical Examination of the late New Text and Version of the New Testament*, 3 parts (1731-1732), II, 123-154; George Travis, *Letters to Edward Gibbon, Esq*, third edition (1794); Thomas Emlyn, *An Answer to Mr. Martin's Critical Dissertation* (1719) and *A Reply to Mr. Martin's Examination* (1720).

But religion was history as well. John Oldmixon's antagonism towards Catholics emerged in his discovery of their 'corrupting and counterfeiting Authors, not sparing even the *Holy Scriptures* nor Records'.⁵⁹ In crossing swords with Zachary Grey, it became clear that both sides accepted this ground of battle and were keen to unearth or disprove forgeries, interpolations or mutilated quotations.⁶⁰ One crucial issue was the text of Clarendon's *History of the Rebellion and Civil Wars in England*.⁶¹ The accuracy of the work was of course open to dispute, but dissent took the form of an accusation against the editors. The charge laid by John Harris in 1719 was taken up by Oldmixon, who gave an account of the 'Liberties taken with Clarendon's History before it came to the Press, such Liberties as make it Doubtful, What Part of it is Clarendon's, and what Not'.⁶² John Clarke noted in 1731 that the editors had been 'lately convicted' of 'corrupting the Faith of History... upon Evidence so

⁵⁹*Memoirs of the Press, Historical and Political* (1742), p.63.

⁶⁰Grey, *A Defence of our Ancient and Modern Historians, Against the Frivolous Cavils of a late Pretender to Critical History*, second edition (1725), especially pp.18-52; Oldmixon, *A Review of Mr. Zachary Grey's Defence* (1725), pp.xii, 2, 20, 24, 25, 36, 57, 67.

⁶¹3 vols (Oxford, 1702-1704).

⁶²See Harris, *History of Kent* (1719), xxxv; Oldmixon, *The History of England, During the Reigns of the Royal House of Stuart* (1730), pp.vii-xv; and, previously, *The Critical History of England, Ecclesiastical and Civil*, third edition, 2 vols (1728), I, x, 38, II, 171, 189-192.

clear and full, that it has not been thought fit to make any Reply to it'.⁶³

The accused were mostly men of Christ Church, Oxford - the home of Bentley's opponents over Phalaris. As well as Atterbury and Aldrich, George Smalridge and Thomas Sprat were involved. Three denials did emerge, one of them from Atterbury himself (now in exile in France).⁶⁴ Oldmixon defended his evidence:

personal evidence, such as would procure a Verdict in *Westminster-Hall*, is, it seems, what the late Bishop Atterbury expected of me... if I had the Right of Subpoena, in this Case, as in one at *Westminster*, I could bring forth as good Evidence for this as was ever brought for any Case at Law.⁶⁵

He had support: hearsay 'has been allowed as an Evidence in all the Courts of Justice in the World, and has frequently decided the Fate of the most important Causes'.⁶⁶ Nonetheless the controversy rolled on, and in 1744 John Burton retrod the ground, reasserting

⁶³*An Essay upon Study*, p.88; also p.234.

⁶⁴This *Vindication* survives without title page in the British Library, 598.e.31. It is reprinted in *The Clarendon-Family Vindicated* (1732), and in William Ayre, *Memoirs of the Life and Writings of Alexander Pope, Esq*, 2 vols (1745), I, 182-192; see also *Remarks upon a Scandalous Book, lately publish'd, Called The History of the Royal House of Stuart* (1731). For a different sort of interpolation by Atterbury see *A True State of the Controversy between the present Bishop and Dean of Carlisle* (1704).

⁶⁵*Mr. Oldmixon's Reply to the late Bishop Atterbury's Vindication of Bishop Smalridge, Dr. Aldrich, and Himself* (1732), p.14.

⁶⁶*Remarks upon the Right Honourable the Lord Lansdowne's Letter to the Author of Reflections Historical and Political* (1732), p.22.

Clarendon's 'long and quiet possession'.⁶⁷ It is of interest to note that the text of Bishop Burnet's *History of My Own Time*, also a posthumous work and generally set against Clarendon as a model, was subject to the same kind of allegations.⁶⁸

Some documents which Oldmixon accepted as genuine were the 'Casket Letters', used in evidence against Mary Queen of Scots: 'the Stile and Sentiments... prove to me they are genuine, better than a Thousand Affidavits wou'd do, which may be counterfeited, but Love and Politeness cannot be'...⁶⁹ These letters were the focus of another historical argument with live political associations; we shall return to this in a later chapter. But the Stuart line was dogged with such questions, and Oldmixon identified another in denying the royal apologia, the *Eikon Basilike* of 1648, to be the work of Charles I.⁷⁰ John Burton, Oldmixon's antagonist over Clarendon, saw this issue in the same terms:

after many years quiet possession, a new, and indeed very strange claim has been set up upon a pretended new

⁶⁷Burton, *The Genuineness of Ld Clarendon's History of the Rebellion Printed at Oxford Vindicated* (Oxford, 1744), pp.79-80. See also Johnson, Smith, in *Lives of the English Poets*, II, 1-23, at pp.18-20.

⁶⁸See 'To the Reader' in *Memoirs of the Secret Services of John Macky, Esq;* (1733), a work which was 'published from his Original Manuscript; as attested by his Son' (p.i); Nichols, *Anecdotes*, I, 253, and Johnson, *Idler*, no.65 (14 July 1759).

⁶⁹*History of England During the Reigns of Henry VIII. Edward VI. Queen Mary. Queen Elizabeth* (1739), p.358.

⁷⁰*Critical History of England*, p.216; *The History of England, During the Reigns of the Royal House of Stuart* (1730), pp.283, 346-7.

evidence; it's genuineness has been call'd in question, and denied upon such slight and precarious grounds, as wou'd in no other case be admitted by any reasonable Judge.⁷¹

This new evidence dated from the period after 1688; Milton had dismissed the work as idolatrous myth-making in *Eikonoklastes* (1649), but had made little play with the question of authorship. Much later, a series of papers - a memorandum in the hand of the Earl of Anglesey, a testimony from Anthony Walker indicating John Gauden as the author, and documents from Gauden's wife - turned up and were cited against the King's 'title'. Others recruited style, chronology and alternative testimony to the cause of the King.⁷² Affidavits, signed, dated, located and witnessed were printed; Hollingworth offered to swear his testimonies and stand trial.⁷³ Thomas Wagstaffe's rigidly-subsectioned marshalling of the evidence argued the case as a point of law: 'possession preponderates', he writes; Charles's 'title' cannot be

⁷¹*Genuineness of Lord Clarendon's History*, pp.114-115.

⁷²For the evidence against, see John Toland's *Life of John Milton* (1698), in *Early Lives of Milton*, pp.83-197, at pp.142-151, and Anthony Walker, *A True Account of the Author of a Book intituled Eikon Basilike* (1692). For the King's advocates, see Thomas Long, *Dr. Walker's True, Modest and Faithful Account of the Author of Eikon Basilike Strictly Examined* (1693); and Richard Hollingworth, *The Character of King Charles I., from the declaration of Mr. A. Henderson; A Defence of King Charles I., occasion'd by the lyes and scandals of many bad men of this age; A Second Defence of King Charles I, by way of Reply to an Infamous Libel; Dr. Hollingworth's Defence of King Charles the First's Holy and Divine Book* (all 1692), and *The Death of King Charles I. proved a downright Murder* (1693). For a later summary see Nichols, *Anecdotes*, I, 37, 522-529.

⁷³*Dr. Hollingworth's Defence*, pp.9, 21.

dislodged without better testimony than Gauden's: 'a Man's own Evidence in his own Cause labours under very great Prejudices'. 'What is such a Witness worth, who... proclaims himself guilty of Forgery, in the very case to which his Evidence refers?'.⁷⁴

The case had a further twist: it was noted that some editions of the *Eikon* contained a prayer from Sidney's *Arcadia*; Long compared the text with the Apocrypha in relation to canonical scripture, and Hollingworth suggested it had been 'foisted in^{afterwards} by some crafty and designing Person, on purpose to expose the Book'.⁷⁵ At length the requisite evidence turned up, in the shape of a deathbed declaration from the printer Henry Hills, who had heard Milton and Bradshaw plotting the interpolation. In the third edition of Wagstaffe's *Vindication* (1711), the story is backed up with a whole history of Regicide forgeries to show

how very apt that Party hath been to counterfeit Authors, and to impose upon the World... they...build upon their own Counterfeits... and frame their Arguments out of their own Forgeries.

⁷⁴Wagstaffe, *A Vindication of King Charles the Martyr* (1693), pp.13-20; and *Defence of Vindication*, p.61. For the legal position see Sir Geoffrey Gilbert, *The Law of Evidence*, second edition (1760), p.126.

⁷⁵Long, *Walker's Account Examined*, p.56; Hollingworth, *Character of King Charles I*, p.12. Compare William Lovett, *Restitution to the Royal Author* (1691), p.7.

The book burst at the seams with examples, literally 'Millions of Forgeries'; forgery started the Civil War.⁷⁶ Petitions, seals, letters, the spurious-interpolated final books of Hooker's *Ecclesiastical Polity* (a work which Gauden edited) were all exposed. The interpolation of the prayer from *Arcadia* was discussed by Thomas Birch in a dissertation which proposed a legalistic and impartial weighing of evidence ('internal and external') on both sides. He found in favour of the Hills story but, aware that this apostate and book pirate was hardly the most credible witness,⁷⁷ Birch attempted to authenticate it after the fact. 'This Information comes originally from Mr. Hills the Printer, but conveyed by two very worthy Gentlemen, and against whom there can be no possible Exception'; their signed and dated affidavits are duly affixed.⁷⁸

⁷⁶Wagstaffe, *Vindication*,^{3rd ed.} pp.128-131.

⁷⁷See John Toland, *Amyntor* (1699), p.155.

⁷⁸The *Dissertation* is printed in Birch's *A Complete Collection of the Historical, Political and Miscellaneous Works of John Milton*, 2 vols (1738), I, lxiv-lxxxiii; see p.lxxx, quoting Wagstaffe.

Part Two: An Age of Forgery

A great many of the period's literary, religious and historical issues seem to have been rooted in the question of authenticity: the 'genuine' resides in personal authorship of a given text, transmitted or quoted without alteration. Legal definitions and criteria of 'evidence' were established as the normal mode of claiming or disputing such authenticity. I do not see this mode of argument with quite the positivism of Barbara Shapiro.¹ To argue from 'evidence' is not necessarily to stand in some neutral, empirical realm. The assertion that 'our Saviour and his Apostles were no sooner off the Stage, than Forgeries of all kinds, broke in with irresistible force', a developed image of forgers and interpolators lurking under every bush,² and Whiston's discovery of spurious texts in every situation, were all heralded by the trumpet-call of evidence; yet the 'forgeries' are not so much discovered by an increasingly efficient scholarly process as actively labelled, divided, dismissed. Just as Bentley was criticized for inventing forgers to justify alterations, so Whiston and Oldmixon were accused of innovating upon traditional creeds and canons; Bentley

¹See her *Probability and Certainty in Seventeenth-Century England: A Study of the Relations between Natural Science, Religion, History, Law, and Literature* (Princeton, 1983).

²*A Dissertation: or, Inquiry Concerning the Authority of Matthew*, p.3; *A Defence of the Dissertation*, pp.13, 27-28.

indeed said this of Collins.³ The 'pompous charge of Forgery' could be a political myth.⁴

However, these detective innovators were also said to be credulous in receiving 'obviously' spurious evidence,⁵ and the accusation of forgery often returned upon them:

An honest writer indeed, who, in the very place where he cries out upon *forgery, corruption, and mangling*, cannot himself refrain from *forging, corrupting and fraudulently adding*.

he falsified Daniel's Chronicle in numberless places. Yet this very man... advanc'd a *particular Fact* to charge three Eminent Persons of falsifying the Lord Clarendon's History; which Fact has been disprov'd... and the particular part produc'd since... in that noble Author's own Hand. He was all his life a virulent Party-writer for hire...⁶

Clearly the theme is not confined to one party; if two general positions can be described, the opposition is between a theory that tradition was corrupt and in need of

³Remarks upon a late Discourse of Free-Thinking, in Works of Bentley, III, 287-474, at p.410; see also Swift, Mr. Collins' Discourse of Free-Thinking, in Prose Writings of Swift, IV, 25-48. For other examples see John Ogilvie, An Inquiry into the Causes of the Infidelity and Scepticism of the Times (1783), pp.27, 294; Gibson, Bishop of London's Third Pastoral Letter, p.5; Twells, Critical Examination of the late new Text, part II; Evidence of the Resurrection Cleared, p.14.

⁴Burton, Genuineness of Clarendon's History, p.23; compare A Letter to the Rev...Subscribers to...'The History of England, during the Reign of the Royal House of Stuart' (1731), p.32.

⁵John Jackson, Remarks on Dr. Middleton's Free Enquiry, (1749) pp.37, 49; Jeremiah Jones, New and Full Method, p.15. Whiston did attempt to authenticate some texts: see his A Collection of Authentic Records Belonging to the Old and the New Testament (1727), and Athanasian Forgeries, pp.103-105.

⁶Bentley, Remarks on a late Discourse of Free-Thinking, in Works of Bentley, III, 385; Pope on Oldmixon, Dunciad (A), II.199, note; TE, V, 125-126.

renovation, that forgery was everywhere and difficult to detect; and the supposition that tradition was sound, and forgery obvious when committed:

The gross Features are oft taken off by Counterfeits, but the little Proprieties pass unobserved: They are Marks providentially designed for the Distinction of Truth from Forgery.⁷

These general positions serve to define particular cases; in that sense the notion of forgery had, as Ian Haywood slyly puts it, 'intellectual currency'.⁸

However, if forgery was an intellectual theme, it was also a legal one, a subject of plethoric legislation and ambiguous representation. To this aspect of the subject we now turn; once again we will attempt to analyze the cultural underlay of contemporary opinion.

a: Plot devices

Most of the forgeries which occur in the plays and novels of the period are ethical rather than criminal: a forged

⁷Twells, *Critical Examination of the late New Text*, Part III (1732), p.35.

⁸Haywood, 'The Making of History: A Study of the Literary Forgeries of James Macpherson and Thomas Chatterton in Relation to Eighteenth Century Ideas of History and Fiction', Ph.D. Thesis, University College London (1983), p.20.

letter or credential rather than a bank-note.⁹ The most developed case is that of Lovelace in Richardson's *Clarissa*. Here the forgery of the handwriting of most of Lovelace's near relations and many of the central characters is a constituent of a whole rhetoric of Protean disguise and Satanic infiltration.¹⁰

Forgery in this context rarely strays far from such internal or metaphorical status. A partial exception occurs in *The Matchless Rogue* (1725), where the hero graduates from cony-catching to a series of larcenies. This generalized, Identikit rogue at one stage forges a goldsmith's note of £900 and passes it on a broker. The fraud, its detection, and Tom's spell in the pillory (much pelted) are unusually detailed.¹¹ So too are the events in Defoe's *Street-Robberies, Considered* (1728), and *The History of the Press-Yard* (1717). In the former, the 'converted thief' tells how he ended up in Newgate after passing a forged bank-note, but 'got clear with a wet Finger' while in the latter the forgery, based on a contemporary case, is viewed by the convict as 'out-

⁹See Edward Young, *The Revenge: A Tragedy* (1721); *Love upon Tick* (1724), p.108; *The Life and Opinions of Bertram Montfichet*, 2 vols (1761), II, 16; Fanny Burney, *Evelina*, edited by E. A. Bloom (1968), pp.141, 256-257, 355. See also Theobald's *Double Falsehood* (1728), p.60.

¹⁰*Clarissa: or, The History of a Young Lady*, introduced by John Butt, 4 vols (1965), II, 511, III, 94, 100, 375, 401. Compare *Spectator* no. 264 (2 June 1712).

¹¹*Matchless Rogue*, pp.35-37.

witting the...Bank of England'.¹² These examples aside, most forgery in literature is domestic. Wycherley gives a concentrated view of professionals at work, totting up deeds, bonds and wills they have counterfeited; but here too the context is one of family litigiousness.¹³ Mostly we are dealing with wills, forgery of which turns several plots.¹⁴ Forgery of this kind is made a chief feature of Ned Ward's sea-captain.¹⁵ One of the most detailed examples is found in Charles Macklin's *A Will and No Will* (1746),¹⁶ where a footman, Shark, impersonates the miserly Skinflint in order to dictate a will in favour of the hero, Bellair. There is no lack of stress on the penalties involved, and Shark avoids actually signing the will. The forgery, though discovered, goes unpunished and indeed is a sort of poetic justice; but the case has a conventional signification too, in Shark's own authentic pedigree as a swindler (he impersonates two other characters in the play):

¹²*Street-Robberies*, p.47; *History of the Press-Yard*, p.43. By 'J--B--gs', the spirited forger in question, I understand John Bigg: see Appendix One.

¹³See *The Plain-Dealer* (1677), V.2, in *The Plays of William Wycherley*, edited by Peter Holland (Cambridge, 1981), pp.345-485, at p.474.

¹⁴See Henry Fielding, *Amelia*, edited by M. C. Battestin (Oxford, 1983), pp.468, 517-532; Sarah Fielding, *The Adventures of David Simple*, edited by Malcolm Kelsall (1969), pp.395-396; Horace Walpole, *The Castle of Otranto: A Gothic Story*, edited by W. S. Lewis (1964), p.109; Thomas King, *Wit's Last Stake*, second edition (1769).

¹⁵*The Wooden World Dissected* (1707), p.15.

¹⁶In *Eighteenth-Century Drama: Afterpieces*, edited by R. W. Bevis (Oxford, 1970), pp.37-75.

Lawyers have often made false wills, for their own interests, and I see no reason now why they mayn't make one for mine. I am sure I have as good a title to be a rogue as any of them all, for my father was an Irish solicitor, my mother, a Yorkshire gypsy...¹⁷

Forgery emerges within a closed economy, that of the family, and its meaning is more personal than monetary, a matter of character, not one of property.

b: Crime

To what extent does the fictional representation of forgery match the cases actually prosecuted? Despite the growing interest in crime shown by historians of the eighteenth century, forgery has attracted only limited, often incidental attention.¹⁸ Unlike coining,¹⁹ forgery appears to have had little social organization or political culture, and does not lend itself to analysis in class terms. But the greatest obstacle to a history of the crime is simply the absence of prosecutions. Beattie virtually omits forgery from his intensive study, on the grounds that the 30-odd cases found over a sixty-year period at the Surrey Assizes cannot provide sufficient material; Sharpe and Linebaugh agree in contrasting the

¹⁷*Will and No Will*, p.64.

¹⁸Randall McGowen of the University of Oregon is currently preparing a study of forgery in this period.

¹⁹See John Styles, 'Our Traitorous Money Makers' in *An Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Centuries*, edited by John Brewer and John Styles (1980), pp.172-249.

mushrooming statute law on the subject with the trickle of actual prosecutions.²⁰ According to the figures compiled by Clive Emsley,²¹ the number of London executions for forgery over the period 1750-1794 remains steady at 2-3 per year (roughly 10% of the total) and thereafter suddenly doubles (in percentage terms, trebles). Outside London there was less than one forgery-related execution per year in each circuit before 1795.²²

My own survey of the printed Old Bailey *Proceedings*²³ indicates that of the 36,000 individuals prosecuted in this central court between 1715 and 1780, only 383, a fraction over 1%, were accused of forgery; of these, roughly half (180) were convicted. After an initial bulge between 1715 and 1719, the rate holds steady at 4-6 prosecutions per year (with one or two convictions per year) up to 1750. For the next five years there is another bulge (11 prosecutions per year), but from 1755-1779 the figure falls to 6-7 per year, with 3-4 convictions. In terms of the general prosecution rate, forgery stays under 1% of indicted crimes between 1720 and

²⁰J. M. Beattie, *Crime and the Courts in England 1660-1800* (Oxford, 1986), pp.91-92; J. A. Sharpe, *Crime in Early Modern England 1550-1750* (1984), pp.177-178 and 221-222, n.32.

²¹*Crime and Society in England 1750-1900* (1987) pp.209-212.

²²For later history see George Rudé, *Criminal and Victim: Crime and Society in Early Nineteenth-Century England* (Oxford, 1985), pp.22, 31, 62, 72, 80, 95, 103-109; J. J. Tobias, *Crime and Industrial Society in the Nineteenth Century* (1967), pp.118, 122, 146, 194, 197; David Jones, *Crime, Protest, Community and Police in Nineteenth-Century Britain* (1982), pp.128, 161.

²³See Appendix One.

1750, peaking at 1.92% by 1755 and then dropping back to 0.77% by 1780. At no time does the rate for forgery exceed that for homicide.

In terms of the type of offence, we find that half the offences concerned bills of exchange, orders for payment, or promissory notes - the main instruments of credit negotiation between merchants and banks. A steady crop of forged promissory notes gives way to an increase in forged bills of exchange from about 1745. However, a quarter of offences were nothing to do with currency or credit, concerning rather the wills, tickets, bills of sale or letters of attorney necessary to obtain the wages and prize money of sailors killed at sea. It is these crimes which cause the surfeit of forgeries in the periods 1715-1719 and 1750-1754. From the recurrence of witnesses and defendants over a number of cases of forgery and impersonation, this trade would seem to have been to some extent organized.²⁴ Surprisingly, prosecutions originating with the Bank of England, East India and South Sea Companies are rare, scoring only 7% of the total (mostly from 1760 onwards). Wills and deeds rate less than 6%. The values involved ranged from a few shillings' worth of hay to promissory notes of £20,000; the few forged bonds were valued in thousands but the majority of notes and bills were for less than £150. The trade in

²⁴See also Robert Robson, *The Attorney in Eighteenth-Century England* (Cambridge, 1959), p.75.

mariners' wills aside, there is no real sign of organized rackets such as appear sporadically in the seventeenth century;²⁵ and no-one beat Mary Butler's £40,000 bond of 1699.

The high likelihood of execution if convicted of forgery was notorious: the number of executions as a percentage of convictions remained well over 50% even when the proportion for burglary and highway robbery plummeted to under 10%.²⁶ Contemporaries maintained that harsh measures against forgery were necessary in order to protect the new commercial system - that expanding world of paper currency and credit we term 'the Financial Revolution'. With due political remodelling, this is essentially the view of modern commentators. 'Coiners and forgers were shown no mercy, for they betrayed the system of credit from top to toe', writes Roy Porter; Douglas Hay uncovers the class interests behind the laws.²⁷ It is worth reiterating just how recent these laws were. Before 1697 there were effectively only two statutes defining forgery, one dating from 1413, the other (superceding it) from 1562. During the next hundred years, thirty-six

²⁵For a case from the Interregnum see *Seventeenth-Century Economic Documents*, edited by Joan Thirsk and J. P. Cooper (Oxford, 1972), pp.651-653; for the Exchequer scandal of 1698 see Chapter One below.

²⁶Emsley, *Crime and Society*, p.212. Note the remarkable exception on the Western Circuit, 1785-1794.

²⁷Porter, *English Society in the Eighteenth Century* (1982) pp.151-2; Hay, 'Property, Authority and the Criminal Law' in *Albion's Fatal Tree: Crime and Society in Eighteenth Century England*, edited by Hay and others, (1975) pp.17-63, at pp.19, 21, 59-60; see also Emsley, *Crime and Society*, pp.213-214.

statutes, virtually all of them capital, dealt obliquely or directly with a multitude of forgeries. The laws on coining (which had been treason since medieval times) were revised and supplemented, and a new set of statutes levying duties on every commodity from soap to playing cards brought with them a new set of crimes: forgery of the duty stamp or its mark was threatened in advance with death. Barely a year passed without some legislative reminder of some type of forgery.²⁸ Jurists and amateur observers were strident in their efforts to draw attention to the hidden threat.

Most forgery laws were attached to newly-founded financial institutions, such as the Bank of England or the South Sea Company, and covered notes, receipts, seals, and most documents and instruments. Government-issued exchequer bills and lottery tickets were also protected, as were bureaucratic records (transfers of land, passports, marriage registers and seamen's tickets). Most of the offences are potential - defined at the origin of the institution and previous to any crime. In the sense that the suspension of cash payments in 1797, with the subsequent flood of small-denomination notes, was the essential condition of the leap in prosecutions for forgery at the time,²⁹ forgery as understood in this

²⁸Leon Radzinowicz, *A History of English Criminal Law and Its Administration from 1750*, 4 vols (1948-1968), I, 452-460; see also Sharpe, *Crime in Early Modern England*, pp.177-178.

²⁹See V. H. Hewitt and J. M. Keyworth, *As Good as Gold: Three Hundred Years of Banknote Design* (1987), pp.38-81.

period was the child of a rapidly-mutating market in documentary currency. However, H. T. F. Rhodes, in arguing that 'forgery of all kinds was rampant between 1750 and 1830', goes on:

The explanation may be sought in the financial policy of that period, but, in fact, the real causes probably lie much deeper... the financial system was the symptom of a more profound condition of malaise out of which both financial and criminal technique arose.³⁰

Without delving quite this far, it is possible to see fear of forgery as not merely an adaptation to new financial circumstances, but as a general cultural issue, in which 'forgery' became a threat because those circumstances themselves threatened the nature of money, the idea of value, and the security of authentic human exchange.

c: Money.

The 'financial revolution' is not a modern notion; contemporaries expressed excitement, or more often dismay, at the changing state of affairs. Many of the 'monetary experiments', after all, failed, at the cost not only of money but of confidence.³¹ Nor was the issue solely one

³⁰*The Craft of Forgery* (1937), p.59.

³¹The phrases are taken from J. Keith Horsefield, *British Monetary Experiments 1650-1715* (1960), and P. G. M. Dickson, *The Financial Revolution in England: A Study in the Development of Public Credit 1688-1756* (1967); these are the standard accounts.

of paper money; the 'Great Recoinage' of 1696-1699 was a crisis not only of money but of monetary theory.³² Suggestions of an alteration in the silver price of gold brought the spectre of debasement to the fore. The argument had little middle ground: on one side it was asserted that the value of coin was integral and natural, residing permanently in the weight of bullion; to interfere with the silver standard was not only mischievous and inflationary but actually impossible. Alternatively it was argued that the 'virtue' of a thing, its essential nature, was distinct from its 'value' or social estimation; the stamp of authority was the source of the value of coins.³³ Locke ridiculed this alchemical notion of the 'projectors', and his view won the day. The same suspicion against any form of currency apparently relying on fiduciary value was exploited by Swift in his war on Wood's halfpence.³⁴

It was in this context that coining became a threat. Locke warned that 'Domestick Coiners' would welcome debasement as an encouragement, and deluge the public with

³²See Ming-Hsun Li, *The Great Recoinage of 1696-1699* (1963); *Money and Banking in England. The Development of the Banking System 1694-1914*, edited by B. L. Anderson and P. L. Cottrell (1974), pp.12, 17, 39.

³³See John Locke, *Some Considerations of the Consequences of the Lowering of Interest, and Raising the Value of Money*, second edition (1696), *Further Considerations Concerning Raising the Value of Money* (1695), *Short Observations on a Printed Paper, Intituled, For Encouraging the Coining Silver Money in England* (1695); and Nicholas Barbon, *A Discourse Concerning Coining the New Money Lighter* (1696).

³⁴*Prose Writings of Swift, X: The Drapier's Letters and other works 1724-1725.*

'light, clipt and hazardous Money', and Joseph Harris, an officer of the Mint, agreed.³⁵ Furthermore, Locke argued, coinage adjustments actually were a sort of public counterfeiting; the project meant 'no more in effect, than if the Mint should coin clip'd Money'; 'the injury done to the publick Faith... is that which in Clipping and false Coining hightens the Robbery into Trason [sic]'. Once more Harris echoed the sentiment.³⁶ The proponents of an absolute monetary value invoked the coiner as a bogeyman, splitting the issue into legal categories of true and false; adjustment of relative proportions became an absolute infringement, the system as a whole not merely prone to forgery but a forgery in itself.

Faced with a multiplicity of paper documents bearing negotiable value (achieved or projected), many commentators took a similar line.³⁷ Locke propounded the difference between 'scrips of paper' and 'current Coin': 'nothing will pay our Debts but Money or Money's worth, which three or four Lines writ in Paper cannot be'.³⁸

³⁵Locke, *Some Considerations of the Consequences of the Lowering of Interest*, second edition (1696), p.139, and *Further Considerations Concerning Raising the Value of Money* (1695), p.104; Harris, *Of Money and Coins*, in *A Select Collection of Scarce and Valuable Tracts on Money*, edited by J. R. McCulloch (1856), pp.339-512, at pp.486-487, 509.

³⁶Locke, *Some Considerations*, pp.139, 172; *Further Considerations*, pp.8-9, 31; Harris, *Of Money and Coins*, p.451. According to Horsefield, one projector, William Chaloner, was executed for coining; *British Monetary Experiments*, p.46.

³⁷On the status of 'writings obligatory' see J. M. Holden, *The History of Negotiable Instruments in English Law* (1955).

³⁸*Some Considerations*, pp.26, 29.

Credit was regarded as mysterious, fallible and disastrous insofar as it was not absolutely backed by bullion.³⁹ The essence of money was changing; coin was solid, satisfyingly tactile, and its surface symbolic element was contained within the locus of its own interior substance:

this is the reason why the counterfeiting the Stamp is made the highest Crime, and has the weight of Treason laid upon it: Because the Stamp is the publick voucher of the intrinsick value.⁴⁰

As Marx put it, gold 'functions... as a symbol of itself'.⁴¹ With paper, the perishability of the substance seemed to befit the fluctuating, abstract and possibly evanescent value it represented, whether in lottery tickets, stock receipts or in any of the discountable forms of paper currency associated with a credit economy.

A similar conflict in theories of value developed; myth countered myth as this public standard was debated. Many could see no good at all in 'this chimerical ill founded Medium, Paper Money'.⁴² Harris regarded all paper money as 'debased currency', and even his exception, bills of exchange, he qualified by referring it to the 'alloy' in

³⁹Harris, *Of Money and Coins*, p.412.

⁴⁰Locke, *Some Considerations*, p.146.

⁴¹Karl Marx, *Capital*, translated by Eden and Cesar Paul, 2 vols (1934), I, 110.

⁴²*A Discourse Concerning the Currencies of the British Plantations in America*, in *A Select Collection of Scarce and Valuable Tracts and other Publications, on Paper Currency and Banking*, edited by J. R. McCulloch (1857), pp.1-56, at p.30.

the mercantile mind, the selfish element 'that tends to debase and sink the mind below its natural state'.⁴³ Then there was forgery: Locke's gold and silver coins were 'not very liable to be counterfeited' and were obviously of value, whereas 'scrips of paper' were 'liable to unavoidable Doubt, Dispute, and Counterfeiting, and require other Proofs; to assure us that they are true and good Security, than our Eyes or a Touchstone'.⁴⁴ John Law, on the contrary, maintained that paper was 'capable of a Stamp, and less liable to be Counterfeit', while others reckoned that paper could not be 'impaired by Adulteration, Sweating, Fileing, or other roguish Arts as Coins may'. Here too forgery was less an absolute phenomenon than a rhetorical reference.⁴⁵

The opponents of paper money used the theory of forgery in the same way that opponents of an adjustment to the silver standard used the idea of counterfeiting. Lord Elibank summarized the arguments against paper money and eulogized by contrast 'specie, which these notes falsely represent'; and Hume mounted an all-out attack in which all 'artificial' types of currency were written off as

⁴³*Of Money and Coins*, pp.374, 416.

⁴⁴*Some Considerations*, p.32.

⁴⁵*Law, Money and Trade Considered, with a Proposal for Supplying the Nation with Money* (Edinburgh, 1705), p.93; *Reflections on Coin in General* (1762), in *Select Tracts on Money*, edited by McCulloch, 513-523, at p.523.

'counterfeit money'.⁴⁶ Again there was a tendency to reduce questions of relative value or security to a simple matter of authenticity.⁴⁷

Theories of forgery function in this context much as they did in the literary controversies we began with; much of the argument about public credit was essentially political or social in scope. A theory of solid or natural value could function as a justification of the property rights of the individual against arbitrary stated nomination.⁴⁸ The 'Blest Paper Credit' ironically celebrated by Pope served to fuel the rampant corruption of the Hanoverian system; solid land was swamped by usurious, jobbed, embezzled or fictitious paper money.⁴⁹ The whole system could be typified by the forgery it naturally engendered.

Modern work has stressed how new financial institutions could threaten previous certainties. Writing of the period of Pope's lifetime, Nicholson argues that

⁴⁶Patrick, Lord Elibank, *Essay on Paper-Money and Banking*, in *Select Tracts on Paper Currency*, edited by McCulloch, 65-74; Hume, *Of Money and Of Public Credit*, in *Essays Moral, Political, and Literary*, edited by T. H. Green and T. H. Grose, 2 vols (1882), I, 309-320, 360-374.

⁴⁷Statutes on the subject encouraged this: whereas larceny was punishable in accordance with a scale linking offence with value, forgery offences turned on authenticity alone.

⁴⁸See Joyce Oldham Appleby, 'Locke, Liberalism and the Natural law of Money', *Past and Present*, LXX (May 1976), pp.43-69; C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (1963).

⁴⁹On Pope see Colin Nicholson, '"Illusion on the Town": Figuring out Credit in *The Dunciad*', *Literature and History*, 12, no.2 (Autumn 1986), pp.181-194. See also Bolingbroke, *Craftsman*, no.134 (25 January 1729), and Dickson, *Financial Revolution*, pp.18, 32-35, 155.

taken all together, the incorporation of the Bank of England in 1694, the rash of joint-stock companies which then flourished and died recurrently ... the rapid growth of insurance brokerage and the inauguration of the National Debt fundamentally altered the frames of reference in the human scheme of things.⁵⁰

Pocock has contended that the debate on land, credit and commerce brought into question the most fundamental integrities:

Once property was seen to have a symbolic value, expressed in coin or credit, the foundations of personality themselves appeared imaginary or at best consensual: the individual could exist, even in his own sight, only at the fluctuating value imposed upon him by his fellows..⁵¹

Credit meant that the source of exchange was a name. Documents required the cypher of an individual - his signature - and thus made possible a market in forgery, or stolen identity. An equivalence put forward by Steele reveals the system's ambiguous stress on individual reputation:

How little does a giddy Prater imagine, that an idle Phrase to the Disfavour of a Merchant may be as pernicious in the Consequence, as the Forgery of a Deed to bar an Inheritance would be to a Gentleman?⁵²

⁵⁰Nicholson, "Illusion on the Town", p.184.

⁵¹J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, 1975), p.464. See Chapters Thirteen and Fourteen (pp.425-505) for fuller discussion.

⁵²*Spectator*, no.218 (9 November 1711); see also Addison, *Spectator*, no.3 (3 March 1711) and Nicholson, "Illusion on the Town", p.184.

Certainly forgery is the product of a particular economic environment, but is not just a matter of property and legality; we are dealing with the clash between arbitrary and natural value, between the social and the individual conception of personality.⁵³ The search for inimitability, for a perfect touchstone of identity, was a basic human concern. When John Ayliffe was hanged in November 1759 for forging some estate papers, the Ordinary of Newgate saw a great deal more than money at stake:

If you consider the nature and the consequences of this crime, you will shudder and start back at the thought of it! That it is a complicated *falsehood* and *injustice*, confounding the distinction of *true* and *false*, *right* and *wrong*; that it is one of the worst and most dangerous kinds of *theft*, bereaving a person of his nearest and most undoubted property, even his hand-writing, which is the key of ^{credit and} all he possesses or enjoys; and destroying all mutual confidence among men: that to cover or defend it when committed, you must add a train of misrepresentation, lying, subornation, perjury, or any other villainy or impiety... which... will every now and then haunt you.. like the *hand-writing* at *Belshazzar's* feast, denouncing a sure and sudden vengeance ready to fall upon you, and seize your devoted head, and your distracted heart! ... let those beware of it who are tempted to it... by their boasted skill in writing, and the art of imitation... Let them know that the same wise and powerful hand by which the human frame is amazingly formed, who... hath made a wonderful variety in men's faces and hand-writings, is concerned to detect and punish the base impostor who dares

⁵³For 'authenticity' in this sense see Marshall Berman, *The Politics of Authenticity: Radical Individualism and the Emergence of Modern Society* (1970). Alan Macfarlane has contested the view of economic individualism put forward by Macpherson and others: see *The Origins of English Individualism: The Family, Property, and Social Transition* (Oxford, 1978).

to defeat the great and glorious scheme of his dominion and providence over human affairs.⁵⁴

⁵⁴Stephen Roe, *The Ordinary of Newgate's Account of the Behaviour, Confession, and Dying Words of John Ayliffe, Esq.* (1759), pp.19-20.

Part Three: Producers and Purveyors

a: Authorship

Forgery, both as a subject in literary criticism, and as a crime, carries a significant weight of ideas with it. Forgery could be a myth to justify innovation in literary or monetary tradition; it could also be a name for the innovation itself. Another area in which such themes appear is the contemporary literary market. Here again the absolute position of authorial right is established, with alleged infringements by pirates and forgers detected as crimes in the familiar legal vocabulary. Again, forgery was a citation in a clash of values - between the proprietorialism of Pope and the arbitrary ascriptions of the freebooting Curll, between producer and purveyor. The arguments of both sides were limited by the common need to market an authenticity guaranteed by documents bearing style and name. These too were property: an instrument of credit, or posthumously, a will.

In his elaborate attempt to disguise his authorship of *Memoirs of a Cavalier*, Defoe gives an account of his researches into the provenance of the manuscript. His first editor commented, 'upon Reading of a Book, 'tis a Question, that naturally occurs, *Who is the Author?*'.¹ Whatever Defoe's own practice, the statement is a truism for the period: a need to ascribe works of literature to a

¹See the edition by J. T. Boulton (1972), pp.vii, 1-5.

named author was the concomitant of a view of writing as a personal responsibility, originating in a figure of biographical unity. Such a consolidation of the author's role is visible in the bibliographical listings and literary biographies of Oldys and Nichols, the collected editions (often with *Life* and portrait) of writers of any fame, even in the compilation of a biographical identity for Homer.²

Names conferred some special authenticity. In the scholarly controversies examined above, it was as significant an act to disprove the ostensible authorship of the dissertations as it was to prove Phalaris spurious or St. Matthew apocryphal: 'Boyle' was a mask for Atterbury, 'Middleton' for Colbatch, Bentley did not write against Phalaris, nor Pope edit Shakespeare.³ There were several complaints that literary quality had been swamped by the supposed value of literary names; Fielding hints at the Shakespear^arian authorship of his play to gain the ear of 'such who are so generous as to buy and to commend what they never read, from an implicit Faith in the Author only: A Faith! in which our Age abounds in as much, as it can be called deficient in any other.'⁴ The same writer

²On this last see Thomas Blackwell, *The Life and Writings of Homer* (1735); Robert Wood, *Essay on the Original Genius and Writings of Homer* (1775), and Clarke, *Greek Studies in England*, pp.136-140.

³Bentley, *A Dissertation*, in Wotton, *Reflections*, p.68; Boyle, *Dr. Bentley's Dissertation*, pp.184-192; *Dr. Bentley's Proposals*, in *Works of Bentley*, III, 499; Theobald, *Shakespeare restored*, p.75.

⁴'Preface' to *The Tragedy of Tragedies*. See also *Characters and Observations: An Eighteenth Century Manuscript*, edited by Lord Gorell (1930), p.77.

declaims against the booksellers who take commercial advantage of such a faith:

[the Muses] have indeed behaved to me like the most infamous Harlots, and have laid many a spurious, as well as deformed Production at my Door: In all which, my good Friends the Critics have, in their profound Discernment, discovered some Resemblance of the Parent...⁵

Defoe, Swift, and Pope all had similar grievances, and Pope denounced the use of the pseudonym 'Joseph Gay' - 'put by Curl before several pamphlets, which made them pass with many for Mr. Gay's'.⁶ Pope was the loudest plaintiff, paying ironical tribute to Curl for 'several unmerited obligations':

Many weighty animadversions on the Public affairs, and many excellent and diverting pieces on Private affairs, has he given to his name. If he ever ow'd two verses to any other, he owed Mr. Curl some thousands.⁷

Throughout the labyrinthine saga of the publication of Pope's letters, he insistently accuses Curl of forging

⁵'Preface' to Sarah Fielding, *David Simple*, edited by Kelsall, pp.3-4. Fielding suggested the obligatory signing of literary works, for which see also *Spectator*, no.451 (7 August 1712).

⁶*Dunciad* (A), II.120 and note; *TE*, V, 111; Defoe, *A True Collection of the Writings of the Author of the True Born Englishman* (1703), A3r-A3v; Swift, *Journal to Stella*, in *Prose Writings of Swift*, XV, 269, 405-406, and *Verses on the Death of Dr. Swift*, l.197 and note, in *Poetical Works*, edited by Herbert Davis (1967), p.503; Swift to Pope, 1 May 1733, *Correspondence of Pope*, III, 367.

⁷*Dunciad* (A), II.54, note; *TE*, V, 104. See also *Epistle to Dr. Arbuthnot*, ll.279-282, 351 and note; *TE*, IV, 115-116, 121.

and interpolating texts in his name.⁸ In the 'Preface' to the *Miscellanies in Prose and Verse* (1727) Pope puts the case at its clearest:

We have been entitled, and have had our Names prefixed at length, to whole Volumes of mean Productions... which we never saw or heard tell of till they appeared in Print.

For a *Forgery*, in setting a false Name to a Writing, which may prejudice another's Fortune, the Law punishes the Offender with ^{the} Loss of his Ears; but has inflicted no adequate Penalty for such as prejudice another's Reputation, in doing the same Thing in Print: though all and every individual Book so sold under a false Name, are manifestly so many several and multiplied Forgeries.⁹

Curll became the centrepiece of a mythology of forgery in which authors 'could not call their very names their own'; the alarming subversion of identity practised by Scriblerus, who knows that 'his Capacity would allow him to imitate the sublimest Wits of his Time, and that a Title Page well countenanced would not fail of selling Three Editions at least', is typical,¹⁰ and represented for Pope

⁸See the various 'Prefaces' to editions of the letters in *Prose Works* 1725-1744, pp.305-401, especially pp.331, 367, 369, 371.

⁹*Prose Works* 1725-1744, p.89; compare Swift to Benjamin Tooke, 29 June 1710, *Correspondence of Swift*, I, 165. The sentiment was quoted (in abbreviated form, and ascribed to Swift) by Johnson in his *Dictionary of the English Language*, 2 vols (1755), s.v. 'Forgery'. Johnson's own attitude to misuse of his name was rather milder: see Boswell, *Journal of a Tour to the Hebrides*, p.272.

¹⁰See Pope, *Dunciad* (A), II.54 and note, 130-132 and note; *TE*, V, 104, 112; *Memoirs of Martinus Scriblerus* (1723) in Swift, *Satires and Personal Writings*, edited by W. A. Eddy (1932), 141-153, at p.150. See also Richard Savage, *An Author to be Lett*, in *A Collection of Pieces in Verse and Prose which have been publish'd on Occasion of the Dunciad* (1732), p.4.

a thorough economic manipulation of book format.¹¹

There is little in the eighteenth century to match bibliographical frauds such as those of T. J. Wise;¹² the idea of forgery seems to be confined to the adoption of successful names, whether of authors or printers. This is the great age of the false imprint, in England motivated apparently more by money than politics.¹³ The imprint may be simply borrowed, as with T. Johnson's 1726 piracy of Pope's edition of *The Works of John Sheffield, Duke of Buckinghamshire*, or a 'near miss' - 'Miller' for Millar, 'Cavell' for Cadell, and so on. The trade had its phantoms, too, such as 'A. Moore', a common but non-existent bookseller much cited in the 1720s.¹⁴ Such chimerical figures are part of the elusive nomenclature Pope satirizes in Curll by disproving the existence of

¹¹See further *A Full and True Account of a Horrid and Barabourous Revenge by Poison on the body of Mr. Edmund Curll*, and *A Further Account of the Most Deplorable Condition of Mr. Edmund Curll*, in *Prose Works 1711-1720*, pp.257-285, at pp.262, 283; and Amory, *Buncle*, p.392.

¹²Though see S. H. Steinberg, *Five Hundred Years of Printing* (1966), p.185, and J. Fitzmaurice Mills and J. M. Mansfield, *The Genuine Article* (1979), p.226.

¹³Over 90% of the items catalogued in Gustave Brunet, *Imprimeurs Imaginaires et Libraires Supposes* (Paris, 1866) occur in the period 1650-1800. For continental practice see Lucien Febvre and Henri-Jean Martin, *The Coming of the Book* (1984), pp.171, 194, 311-314. For English examples see Jim Mitchell, 'Investigating False Imprints' in *Searching the Eighteenth Century*, edited by M. Crump and M. Harris (1983), pp.43-58; and Bridget Ikin, 'A Sterne Warning: False Imprints and Piracies in the 1780's', *Factotum*, no.4 (Christmas 1978), pp.16-17.

¹⁴See Pat Rogers, 'Introduction: the writer and society', in *The Context of English Literature: The Eighteenth Century*, edited by the same (1978), pp.1-80, at p.41.

three of his writers, one of whom, Bezaleel Morrice, 'carries Forgery in the very name'.¹⁵

This type of literary forgery was a potent eighteenth-century theme. However, as Pope himself remarks,

False Criticks rail at false Wits, as Quacks and Impostors
are still cautioning us to beware of Counterfeits, and
decry others cheats only to make ^{more} way for their own.¹⁶

The standard advertising ploy enhanced the value of authenticity (a particular identity) by declaiming against spurious imitations. Many challenged the complaints of false ascriptions, not least Curll himself,¹⁷ and Pope was often accused of using the names of others on his own writing.¹⁸ On several occasions Pope used a false imprint or edition statement or anonymity to disguise his authorship;¹⁹ and in sparring with Curll over the *Letters* he declared in his own person that Curll's edition was a 'forgery' but told the bookseller (in the name of 'P.T.')

¹⁵*Dunciad* (A), II.118 and note; *TE*, V, 111.

¹⁶*Thoughts on Various Subjects*, in *Prose Works 1725-1744*, pp.151-164, at p.158.

¹⁷See *The Curliad* (1729), p.32; George Sherburn, *The Early Career of Alexander Pope* (Oxford, 1934), pp.199-200.

¹⁸See John Dennis, *Reflections Critical and Satyrical, upon a late Rhapsody, call'd, an Essay on Criticism* (1711), p.30, and *Remarks upon Mr. Pope's Translation of Homer* (1717), p.82; Charles Gildon, *A New Rehearsal, or Bays the Younger* (1714), p.45; Curll, *Curliad*, p.1

¹⁹See Robert W. Rogers, *The Major Satires of Alexander Pope* (Urbana, 1955), pp.40, 71; Sherburn, *Early Career*, p.80; J. McLaverty, *Pope's Printer, John Wright* (Oxford, 1977), pp.6-7; *Memoirs of the Extraordinary Life, Works, and Discoveries of Martinus Scriblerus*, edited by C. Kerby-Miller (New Haven and London, 1950), p.29; and *TE*, V, xvii-xxviii.

that he would convince him 'it was no *Forgery*' - effectively counterfeiting his own counterfeit or manipulating the idea of forgery to construct something 'genuine'.²⁰

Detection of forgery enhanced authenticity. But as the chicanery over the *Letters* shows, authenticity was a code word for authorized. Pope utilized and publicized Grub Street forgery in order to gather his oeuvre into the control of a central authorial figure. At one point this is almost confessed:

We cannot deny... we have written some Things which we may wish never to have thought on... The publishing of these which we cannot quite disown, and without our Consent, is I think, a greater Injury, than that of ascribing to us the most stupid Productions which we can wholly deny.

And again:

the Cabinets of the Sick, and the Closets of the Dead, have been ^{broke open and} ransacked, to publish our private *Letters*... these Fellows are arriv'd to that Height of Impudence, as when an Author has publickly disown'd a spurious Piece, they have disputed his own Name with him...²¹

Theft shades into forgery, the unauthorized becomes the spurious; authenticity can be owned. Complaints against 'pyratical counterfeits' and 'spurious editions' concern

²⁰See Pope's *Narrative*, in *Prose Works 1725-1744*, pp.327-345, at pp.333, 336, and 'The Booksellers to the Reader' (1737), *ibid.* p.381.

²¹'Preface' to the *Miscellanies* of 1727, in *Prose Works 1725-1744*, pp.91-92.

authorization more than textual accuracy, and the citation of some such 'imperfect copy' to foreground commercial authenticity may in its turn be designated a 'fraud' in its own right.²²

b: Literary Executorship

Pope and Johnson concurred in the view that many textual and canonical problems would have been solved if Shakespeare had overseen his own printing.²³ Johnson reserved a property in all his works to provide for one complete edition, and Pope declared late in life, 'I must make a perfect edition of my works, and then I shall have nothing to do but die'.²⁴ Horace Walpole became 'his own Editor'.²⁵ In both the latter cases, the true canon was to be established: Walpole desired to avoid 'having pieces attributed to me which I never wrote' and Pope, as early as the *Works* of 1717, wrote 'the world... owes me the justice... to look upon no verses as mine that are not inserted in this collection'.²⁶

²²See Johnson's biography of Sir Thomas Browne, *Early Biographical Writings of Dr. Johnson*, edited by J. D. Fleeman (1973), pp.418-419. See also 'The Publisher to the Reader', in Swift's *Miscellanies in Prose and Verse* (1711).

²³See Pope's 'Preface', in *Prose Works 1725-1744*, p.23; and Johnson's *Proposals*, in *Yale Johnson*, VII, 51.

²⁴See Joseph Spence, *Observations, Anecdotes and Characters of Books and Men*, edited by J. M. Osborn, 2 vols (Oxford, 1966), I, 258.

²⁵*The Works of Horatio Walpole, Earl of Orford*, 5 vols (1798), I, vi.

²⁶*Works of Walpole*, I, xxi; compare p.x, and see *Walpoliana*, second edition, 2 vols (1799), II, 22-23; Pope, *Prose Works 1711-1720*, pp.289-296, at p.294, and Sherburn, *Early Career*, p.181.

Once again, fabrication is not the only enemy. Warburton remembered another concern of Pope's in issuing the 'Genuine Text' of Shakespeare in an edition both hoped 'might contribute to put a stop to a prevailing folly of altering the Text of celebrated Authors'.²⁷ The Goddess of Dulness also applauds the degradation of 'the most distinguished Writers' by 'printing Editions of their works with impertinent alterations of their Text'.²⁸ At the end of the *Dunciad*, Pope assumes a sovereign authority to declare

Whereas certain Haberdashers of Points and Particles... have taken upon them to adulterate the common and current sense of our Glorious Ancestors, Poets of this Realm, by clipping, coining, defacing the images, mixing their own base alloy, or otherwise falsifying the same; which they publish, utter, and vend as genuine... Now we, having carefully revised this our Dunciad... do declare every word, figure, point, and comma of this impression to be authentic: And do therefore strictly enjoin and forbid any^{person} persons whatsoever, to erase, reverse, put between hooks, or by any other means directly or indirectly change or mangle any of them. And we do hereby earnestly exhort all our brethren to follow this our example, which we heartily wish our Great Predecessors had heretofore set, as a remedy and prevention of all such abuses.²⁹

It was illegal to alter a banknote, as well as to fabricate one. Lord Mansfield agreed with both provisions for authors:

²⁷ *Works of Shakespeare*, I, xix.

²⁸ *Dunciad*, (B), IV.119, note; *TE*, V, 353.

²⁹ *TE*, V, 237-238; a note by 'Bentley' interferes with the text of the declaration.

It is just, that Another should not use his Name, without his Consent... It is fit, he should choose to Whose Care he will Trust the Accuracy and Correctness of the impression; in Whose Honesty he will confide, not to foist in Additions...³⁰

Where self-editing was not feasible, the office was often entrusted to a friend. With the advent of a true literary property, it became common for writers to will manuscripts and other texts to their executors. So Warburton got Pope's printed works (in a clause prohibiting alteration),³¹ and Bolingbroke the manuscripts. Tickell edited Addison, Swift Temple, Mason Gray, Hawkins Johnson; Pope performed some editorial office for Swift, Gay, Parnell, Bolingbroke, Sheffield and Wycherley.

In this last case, we meet Theobald once again, here acting as the lawyer who presided over the poet's dubious death-bed marriage and settlement.³² But Theobald was also Wycherley's editor; in 1728 emerged *The Posthumous Works of William Wycherley, Esq... Faithfully publish'd from His Original Manuscripts, by Mr. THEOBALD*. Great play was made for intimacy in the accompanying *Memoirs* - 'a Story, that Mr. WYCHERLEY related to me... Mr. WYCHERLEY was once telling me...', and so on - but even greater inwardness was claimed for the text:

³⁰*The Question of Literary Property, Determined by the Court of King's Bench On 20th April, 1769 (1773)*, p.115; see also p.123.

³¹See Pope's will, *Prose Works 1725-1744*, pp.506-508.

³²See Howard P. Vincent, 'The Death of William Wycherley', *Harvard Studies and Notes in Philology and Literature*, 15 (1933), 219-242.

The Manuscripts being very much interlined, and in general, being very difficult to be read by any Stranger; it was thought proper... to put them under the care of some Gentleman who was well acquainted with his Hand Writing.

The 'Gentleman' was Theobald.

Pope called the *Posthumous Works* 'very unfair & derogatory to HIS memory, as well as injurious to me; who had the sole supervisal of 'em committed to me, at his Earnest desire...'; he 'foresaw some dirty Trick'.³³ Both Wycherley and Sheffield had trusted Pope and given him a free hand to alter or cut their work. Nonetheless, Pope had worried about the necessary alterations, partly because the 'End propos'd of having them pass for Mr. Wycherley's' could not be met; correction might spill over into interpolation.³⁴ As a public response to Theobald's edition, Pope put together a second volume,³⁵ matching Theobald's book as *Shakespeare restored* had matched Pope's edition of Shakespeare, and similarly overlaying it with a grid through which inauthenticity might be perceived. 'It is always some Question', writes Pope, 'Whether Posthumous

³³Pope to the Earl of Oxford, 6 October 1729, *Correspondence of Pope*, III, 54-5.

³⁴See 'To the Reader', in *The Posthumous Works of William Wycherley, Esq; in Verse and Prose: Vol II* (1729), in *Prose Works 1725-1744*, pp. 310-311; and Spence, *Observations*, I, 36. See also Wycherley to Pope, 22 March 1706 and 11 April 1710, Pope to Wycherley 10 April 1706, 20 November 1707 and 15 April 1710, and Sheffield to Pope [1717?]; *Correspondence of Pope*, I, 14-16, 31-32, 83-84, 386.

³⁵See V. A. Dearing, 'Pope, Theobald and Wycherley's *Posthumous Works*', *PMLA*, 68 (1953), 223-236.

Works are Genuine?'. His volume reprints Theobald's list of Contents but in annotated form, indicating dissent.

The whole 75th Page not Mr. Wycherley's.

Very much disagrees with Mr. Wycherley's Original, It is presumed the pages 135, 136, are not to be produced in his Papers.

probably not genuine... most certainly written by some other hand.

Pope aimed to show the world which poems were 'touch'd upon, with the Author's own Consent and Concurrence, by his Friend; and which may have been finger'd after his Death, by others, without any Warrant but their own Arrogance, or Motive but their own Lucre'.

Authorial editing did not prevent posthumous ascriptions to Pope, nor to other poets.³⁶ Nor were editors, however intimate, safe from accusation: Swift's Temple and Tickell's Addison were both charged with mangling and suppression.³⁷ Pope's anxiety concerning his handling of the works of Sheffield and Wycherley bore fruit in the complaints of Bolingbroke.³⁸ Warburton's edition of Pope and Bolingbroke's dealings with Pope's manuscripts

³⁶For example see *GM*, XXVIII (June 1758), 282-284, on some posthumous works of Parnell.

³⁷See *Correspondence of Swift*, I, 155, 156; and Eustace Budgell, *A Second Letter to the Craftsman*, fourth edition (Dublin, 1720), p.18.

³⁸See Owen Ruffhead, *The Life of Alexander Pope, Esq*; 2 vols (Dublin, 1769), II, 159; Giles Barber, 'Bolingbroke, Pope, and the Patriot King', *The Library*, 5th series, XIX (1964), 67-89. For Pope's views on permissible suppression, see Spence, *Observations*, I, 105 and to Jervas [1720?], *Correspondence of Pope*, II, 24.

suffered the same fate.³⁹ But these criticisms are part of the same cultural apparatus which establishes such editing as necessary. The controversy attaching to the publication of other 'posthumous' works, such as Clarendon's *History* or *Eikon Basilike* is part of this structure. Given such a set of constraints and practices, it seems entirely possible that Pope did indeed declare 'lately in a Conversation of learned Men, that to alter a Book after the Author was dead, was like *altering his Will*.'⁴⁰

c: Manuscripts

Ultimately, we must return to the manuscript. In the long argument over Phalaris, Boyle and Bentley spend a great deal of time trying to prove their own versions of the events surrounding the loan and collation of the manuscript. This brought other forgeries into play: Bentley wrote of the Christ Church faction, 'they have acted... both the injustice of the Tyrant, [Phalaris] and the forgery of the Sophist'.⁴¹ It also unearthed other manuscripts. Bentley cited letters in support of his chronology, and Boyle likened them to those of a certain gentleman, whose last resort, when 'at a loss for

³⁹See *Cursory Remarks on Mr. Warburton's New Edition of Mr. Pope's Works* (1751), p.28; Johnson, *Idler*, no.65 (14 July 1759).

⁴⁰Thomas Bentley, *A Letter to Mr. Pope* (1735), p.8.

⁴¹*A Dissertation*, in Wotton, *Reflections*, p.66; compare p.29.

Proofs... was to a certain Chest at Icolmkill, where there were MSS, it seems, never seen by anybody besides himself, that prov'd everything he had a mind to'. Boyle's own testimonies were signed, sealed, and available:

whatever becomes of Phalaris's Letters, this of Dr King's is not Spurious. I have the Original of it by me under his own hand, as I have the Originals too of the other Papers, which shall be at Dr. Bentley's, or any man's service, that pleases to command a sight of 'em.⁴²

In a minor historical quarrel being pursued at the same time, Matthew Smith and Richard Kingston cited 'originals' in the House of Lords to demonstrate each other's multiple forgeries.⁴³ Opponents of Clarendon's *History* demanded the manuscript be produced, along with that of the *Eikon Basilike*. Anthony Walker died on the way to London to sell his pamphlet proving Gauden's authorship, but the booksellers offered the sight of his manuscript as proof.⁴⁴ There are many examples of such a practice; Theobald offers the manuscript of *The Double Falsehood*,

⁴²Dr. Bentley's *Dissertation... Examin'd*, pp.5-15.

⁴³Smith, *Memoirs of Secret Service* (1699), pp.159-160, and *A Reply to an Unjust and Scandalous Libel* (1700), pp.5, 9, 11, 13, 37-38; Kingston, *A Modest Answer to Captain Smith's Immodest Memoirs* (1700), pp.6, 11, 18, and *Impudence, Lying and Forgery, Detected* (1700), pp.14-28.

⁴⁴A *True Account*, p.37.

Curll has Pope's originals at his shop.⁴⁵ Pope used the Harley library as his 'shop' in countering Theobald's Wycherley: 'Some Brouillons of these, transcrib'd and very much blotted by Mr. Pope, are extant in the Harley Library'. Theobald had paraded the transmission of the papers and intimacy with Wycherley's idiosyncratic hand; Pope out-manuscripted him with his very blots.⁴⁶

This use of 'originals' as the arbiter of argument is part of a general eighteenth-century commitment to authentication. As Ian Haywood makes clear, 'the manuscript became the empirical unit of historical knowledge'.⁴⁷ Nor was the prominence of the manuscript confined to historical discourse, as the same writer shows.⁴⁸ Poems, novels and philosophical essays by writers as diverse as Steele, Radcliffe, Chesterfield, John Hill, Steevens, Walpole, and Collins claimed descent

⁴⁵See Jones, *Lewis Theobald*, p.123; B. S. Hammond, 'Theobald's Double Falsehood', p.56; Curll, *A Complete Key to the Dunciad* (1728), p.19, and *The Female Dunciad* (1728), pp.vii, 7. See also *Prose Writings of Swift*, IX, 104-105, 133; Burton, *Genuineness of Clarendon's History*, p.94; Harris, *History of Kent*, xxxv; *A Genuine Letter from a Methodist Preacher in the Country, to Lawrence Sterne, M.A.* (1760), p.vi; *Daily Courant*, 8 April 1710 (a certificate concerning Sacheverell).

⁴⁶The quotation is from the contents list of *The Posthumous Works of William Wycherley, Esq: Vol.II*; access to the library is noticed in 'To the Reader', in *Prose Works 1725-1744*, p.311. Johnson doubted the originals were really there (Pope, in *Lives of the English Poets*, III, 158) and it was once more a factitious authenticity, Pope having transferred them to the library for the sole purpose of making this reference: see *Prose Works 1725-1744*, pp.312-313.

⁴⁷'Making of History', p.25

⁴⁸'Making of History', pp.70-85.

from manuscripts with involved and detailed provenances.⁴⁹ Sometimes a provenance suggested authorship, as with *The Double Falsehood*, and sometimes it guaranteed a personal narrative or historical authenticity, as in Defoe's novels.⁵⁰ Very often, the importance and tangibility of the manuscript was intensified by a narrative of its rescue - from use as basket-lining, gun-wadding, thread-papers or fire-lighters.⁵¹

The tradition was much mocked, and there was a whole bibliography of spoof manuscripts 'preserved in the Grub Street Vatican'.⁵² Scriblerian humour in general poked fun ^{at} this intrusion of the manuscript into printed literature.⁵³ Novels which claimed particular manuscript

⁴⁹See Steele, *Spectator*, nos.84 (6 June 1711), 324 (12 March 1712), and 480 (10 September 1712); Ann Radcliffe, *The Italian*, edited by Frederick Garber (Oxford, 1968), p.4; Philip Dormer Stanhope, Earl of Chesterfield and Hill, *The Oeconomy of Human Life* (1751); Walpole, *The Castle of Otranto* (1765; in this case, an early printed book rather than a manuscript); Collins, *Persian Eclogues* (1742).

⁵⁰*Memoirs of a Cavalier* (1720); *The Fortunes and Misfortunes of the Famous Moll Flanders, &c.*, third edition (1722).

⁵¹See Henry Mackenzie, *The Man of Feeling*, edited by Brian Vickers (1970), pp.3-5; *Chrysal; or, The Adventures of a Guinea*, 2 vols (1760), I, viii-xxvi; for more examples see below, Chapter 6, and John Freehafer, 'John Warburton's Lost Plays', *Studies in Bibliography*, XXIII (1970), 154-164.

⁵²*The Life and Humorous Adventures of Will Grigg* (1733). See also *The Prophecy of Queen Emma* (1772), pp.17-21, 35; Bramston, *The Crooked Six-Pence; Cooper's Well* (1767); *The History of the Rise and Fall of Count Hotspur* (1717); *The Highland Rogue* (1723); *The Adventures of Abdalla* (1729); *The Story of the St. Alban's Ghost* (1712); Fielding, *The Vernon-iad* (1741); *The Humours of Harrogate* (1763); P. L. Carver, *The Life of a Poet: A Biographical Sketch of William Collins* (1967), pp.153-157.

⁵³Pope, *Guardian*, no.40 (27 April 1713); Swift, *A Tale of a Tub*, in *Prose Writings of Swift*, I, 38, 107, 128; Arbuthnot, *History of John Bull*; Fielding, *The Life of Jonathan Wild the Great and A Journey from this World to the Next*, in *Miscellanies*, 2 vols (Dublin, 1743), II, 226-227, 246-247, 396.

authenticity invited competition from hacks with even more 'original' papers.⁵⁴ But despite the mockery, manuscripts continued to exert a strong fascination as a source of proof or proof of origin: they were the last word in authenticity. Though it was not unknown in the eighteenth century for manuscript to imitate print,⁵⁵ there was a general sense that print was a copy of manuscript, beginning historically with an attempt to pass as such.⁵⁶ As Swift put it,

A Copy of Verses kept in the Cabinet, and only shewn to a few Friends, is like a Virgin much sought after and admired; but when printed and published, is like a common Whore, whom any body may purchase for half a Crown.⁵⁷

Just as Hogarth's engravings derived authenticity from a true original, the painting, so printed copies were a second-hand dissemination from the holograph, the physical bearer of the author's touch.

⁵⁴*The History of Laetitia Atkins, Vulgarly called Moll Flanders* (1776); *The History of Mademoiselle de Beveau; or the New Roxana* (1775); *Pamela in High Life* (1741), p.347; *The Life of Pamela* (1741), pp.2, 185, 219, 249, 316, 340, 349, 416.

⁵⁵Johnson, *Smith*, in *Lives of the English Poets*, II, 6; Spence, *Anecdotes*, I, 12.

⁵⁶See James Watson, *The History of the Art of Printing* (Edinburgh, 1713), p.10; Defoe, *A History of the Devil*, in *Works of Daniel De Foe*, edited by W. Hazlitt, 3 vols (1840-1843), III, 101-102; and Febvre, *Coming of the Book*, p.77.

⁵⁷*Thoughts on Various Subjects*, in *Prose Writings of Swift*, IV, 243-254.

With manuscripts available in libraries and shops, printed copies could be checked, authorship proved, narratives verified.⁵⁸ This was the spirit of the period:

we live in an age in which all ancient accounts of history, however confidently delivered in the finest dress... are brought back to a trial, and, whatever vogue they may have had for an age or two, are allowed by the best judges... no more credit than what is due to their vouchers.⁵⁹

An appeal to legal standards of proof is certainly one feature of the writing of the period. No-one would underestimate the possible use of literary manuscripts as actual legal evidence; the case of Pope's friend Atterbury brought this home.⁶⁰ But legality is only one of the conditions cited here. It is remarkable how many writers treat their proofs as 'vouchers',⁶¹ suggesting that by offering manuscripts as a source of 'credit' writers enter a sort of economic relationship with readers; the manuscript is to print as gold is to credit. At the same

⁵⁸Tonson, for example, used the manuscript of Book One of *Paradise Lost* against Bentley's conjectures: Lynch, *Jacob Tonson*, pp.143-144.

⁵⁹Thomas Innes, *A Critical Essay on the Ancient Inhabitants of the Northern Parts of Britain and Scotland*, edited by George Grub (Edinburgh, 1879), p.5-6

⁶⁰See e.g. Ayre, *Memoirs of Pope*, I, 162-165; on Pope's fears see Spence, *Anecdotes*, II, 585; *TE*, III.ii, 124-125. Gilbert privileges written over oral evidence: *Law of Evidence*, pp.6-9.

⁶¹See Defoe, *A System of Magick* (1728), p.91; Peter Whalley, *Advertisement to An Essay on the Manner of Writing History* (1746); Curll, quoted in Pope, *A Narrative*, in *Prose Works 1725-1744*, p.339; Grey, *Defence of Ancient and Modern Historians*, 'Appendix', p.30; *The Clarendon Family Vindicated*, p.21; Atterbury, *Vindication*, p.7; Burton, 'Preface' to *Genuineness of Clarendon's History*.

time, the prominence of manuscripts on the title pages of novels, of anything by Curll, or of scholarly editions,⁶² indicates the selling power they possess. The guarantee of knowledge is in demand; the manuscript emerges as the crucial agent of verification but only within the parameters of the market.

So far from possessing a legal neutrality, the manuscript is subsumed within the ambivalence attendant on its role in a system of exchange. Insofar as there is a market in authenticity, there must be a fear that the market will be infiltrated by forgery. In Gildon's novel *The Post-Boy Robb'd of His Mail*, the participants get hold of some private letters and attempt to savour the unmediated authenticity of experience they contain. Almost at once they suspect forgery.⁶³ Pope claims manuscript evidence against Lady Mary Wortley Montagu, and she denounces his skill in counterfeiting her hand.⁶⁴ If a manuscript of the *Eikon Basilike* were to be produced in the King's hand, it would prove nothing.⁶⁵ Even the use of 'similitude of hands' in legal cases is said merely to encourage forgers.⁶⁶ At no level can the manuscript leave

⁶²See for example the advertisement for John Urry's *Chaucer* in the *Daily Courant* of 27 January 1715.

⁶³second edition (1706), pp.23-24, 293, 329, 421-422.

⁶⁴Lady Mary to Arbuthnot, October 1729, *Correspondence of Pope*, III, 60; and see *Pope Alexander's Supremacy*, p.14.

⁶⁵Toland, *Amyntor*, pp.145-146.

⁶⁶*A Dissertation Shewing the Invalidity of all Proof by Similitude of Hands, in Criminal Cases* (1744).

the cycle: authenticity and forgery become relative terms, dependent within a specific economy.⁶⁷

d: Authenticity and Forgery in Eighteenth-Century Britain.

The discovery of past forgeries - performed, it would appear, very much with modern values of authorship in mind - and the attempt to authenticate literature and history by manuscript evidence, were new and powerful mythologies in the early eighteenth century. The crime of forgery, and the value crisis within which it was understood to be situated, was also newly prominent. It is hardly surprising that in most studies of literary forgery, eighteenth-century examples are superabundant.⁶⁸ Yet there has been little scrutiny of the historical specificity of these phenomena; critics have tended to be seduced by the audacity or tragedy of particular 'forgers' and to take for granted contemporary estimations of 'forgery' as aberrant, alien to the central culture. A 'composite portrait' is produced, comprising a discrete psychology of neurotic deceit, thwarted artistic talent, or solipsistic dissociation from reality.⁶⁹ One is left

⁶⁷Haywood draws attention to the immediate ambiguity accruing to manuscripts: 'Making of History', pp.22-33.

⁶⁸Farrer, *Literary Forgeries*; John Whitehead, *This Solemn Mockery: The Gentle Art of Literary Forgery* (1975). See also *Crime and the Literati: Fraud and Forgery in Literature* (Baltimore, 1962; catalogue of an exhibition held at the Peabody Institute Library).

⁶⁹See Rhodes, *Craft of Forgery*, p.273.

with the impression that a Celtic coiner, Chatterton, Tom Keating, and a man who lends counterfeit stock to governments are all engaged in the same basic activity.⁷⁰

Recently, Ian Haywood has analysed and challenged these assumptions, charting the change in definition of 'forgery' across periods and cultures, and examining the aesthetic implications of particular controversies. The 'authentication' of a work is found to be a cultural process; the activities of those outlawed as 'forgers' are not clearly divided from what is conceived as legitimate writing. With much of Dr Haywood's section on the eighteenth century⁷¹ I am in broad agreement; this introduction partially amplifies his description of a totemic 'individualized, inimitable act of literary creation', without which forgery could hardly have been defined or detected. Of course, it is not simply a matter of names, of who wrote what. Individual authorship could entail political and historical truth, as with Clarendon, Mary Queen of Scots, or Burnet; it could also preserve the truth of individual experience - the sincerity of the heart which Trilling and others have associated with the individualism of the period.⁷² The two combined easily:

⁷⁰For examples of the literature see Robert Furneaux, *Fact, Fake or Fable* (1954); Alexander Klein, *Grand Deception* (1956); Sonia Cole, *Counterfeit* (1950).

⁷¹*Faking It: Art and the Politics of Forgery* (Brighton, 1987), pp.21-69.

⁷²Lionel Trilling, *Sincerity and Authenticity* (1974), p.24-25; Leon Guilhamet, *The Sincere Ideal: Studies on Sincerity in Eighteenth-Century English Literature* (Montreal and London, 1974), especially pp.248-249.

Pope's letters contained 'the most secret Sentiments and Intercourses of Friendship', but also served to settle the truth of 'a number of Facts... both relating to History, & Criticism, & parts of private Life and Character of the eminent men of my time'.⁷³ Yet in terms of the exchange of information, documents were transferred in accordance with the name they bore as a promise of individual substance. Dr Haywood has touched only briefly on the legal and economic rhetoric deployed in this connection to establish the realm of literary forgery between 1700 and 1800; the criminalization of certain works, either by analogy with court procedure, or through lists and lineages of cases which seem to reduce works to some criminal element held in common, is to be my theme.⁷⁴

Of the chapters which follow, some deal primarily with the cultural mediation of crime through literature, others with crime within and against literature. A turning point in forgery legislation is examined in Chapter One; the careers of two forgers, and Pope's use of them, serve to illustrate the human and economic aspects of fraud. In Chapter Two the alleged forgery of the will of one writer

⁷³Pope, 'Preface' to the 1727 *Miscellanies*, in *Prose Works 1725-1744*, p.91; to the Earl of Oxford, 15 September 1729, *Correspondence of Pope*, III, 54; compare Walpole's claim for his letters, in *A Selection of the Letters of Horace Walpole*, edited by W. S. Lewis (London and New York, 1927), pp.18-19. Johnson's acceptance of Curll's version of the texts seems to mirror his views on the artificiality of Pope's letters; Pope, in *Lives of the English Poets*, III, 156-160, 206-208.

⁷⁴*Faking It*, pp.59-61.

by another writer, and Pope's citation of the case, are used to develop the theme of criminal 'writing'. Chapter Three examines the politics and rhetoric with which the case for and against William Lauder was put together; here plagiarism and literary property are the source of the criminal idea. With Chapter Four we take an excursion to look at Johnson's explicit and implicit attack on Macpherson's Ossian as a travel fiction. Johnson is a principal character in the defence of Dr Dodd, both in seeking a reprieve for this forger and in securing an authentic and sincere biographical and bibliographical tradition for him; this is the subject of Chapter Five. In Chapter Six, finally, we see how a multi-layered economy within antiquarian literature and practice underlay the familiar criminal rhetoric used by Walpole and others against the documents produced by Chatterton.

a: 'Ward in Pillory'

At the start of the third book of *The Dunciad*, Theobald is transported to the underworld of Dulness to view a plethoric literary production streaming towards London 'As thick as bees o'er vernal blossoms fly, /As thick as eggs at W---d in pillory'.¹ In the *Dunciad Variorum* of 1729 Pope named this 'W---d' as John Ward, a merchant and M.P. who stood in the pillory for forgery on 17 February 1727. In this chapter I will be examining the interest Pope took in the career of this forger, as well as that of another, Japhet Crook; an attempt will be made to analyze the legal and cultural context of their crimes.

Almost every surviving record of John Ward concerns money; usually contentious or disputed money. Ward's parliamentary life was distinguished only ^{by} enquiries into his bribery at elections, his attempts to use his 'privilege' as a tool in private litigation, and half a speech on the Walpole side of the South Sea question.² He was the addressee of a pamphlet on the Bubble, wrote a letter in enthusiastic praise of Sir Humphrey Mackworth's

¹*The Dunciad: An Heroic Poem* (1728), III.25-26.

²See the entry in Romney Sedgwick, *The House of Commons 1715-1754*, 2 vols (1970), II, 519-520. I have given a more detailed account of Ward in '"Ward in Pillory": Alexander Pope and the Case of Forgery', *Literature and History*, 12, no.2 (Autumn 1986), pp.195-214. To this may be added a case from 1706: *The English Reports*, 176 vols (1900-1930), II, 48, XXIV, 72.

scheme for a parliamentary paper currency, and served as a director of the East India Company.³

From around 1705, Ward was acting as steward to John Sheffield, Duke of Buckinghamshire, on the family estates in Yorkshire. In that year Ward took out a nineteen-year lease on the estate of Mulgrave, where alum was worked. Ward agreed terms with Sheffield for rent and production costs, and was his agent in selling the produce. Later the two became partners. In 1717 the Duke became alarmed at his losses in the venture, and sent his secretary to inspect the books. Ward withheld and then destroyed them. On breaking open the stores, which were empty, it became clear that Ward had embezzled the entire stock, while continuing to charge the Duke for the production costs of alum he claimed wasn't selling. A bill was filed in the Exchequer Court, Ward replied in kind, and eventually the Duke settled out of court.⁴

The Duke died in 1721 and his widow refused an extension of the lease. According to her side of the case, Ward responded by cutting timber, wrecking the factories, and refusing to perform the covenants required by the terms of

³See *An Answer to Several Queries Relating to the Proposal for Payment of the Publick Debts* (1720), pp.31-35, and *A Detection of the Whole Management of the South Sea Company* (1721).

⁴This narrative is compiled from *The Case of John, late Duke of Buckingham and Normanby with one Mr. John Ward of Hackney* (BL, Additional MSS, 36148, f.81), and the two cases, dated 4 May 1725, by *John Ward, Esquire, Appellant. The Most Noble Edmund, Duke of Buckinghamshire and Normanby, an Infant, by the Rt. Honble. David Earl of Portmore* [and others], *Respondents* (BL, L.3.a.1 (vol. 3) 131, 132). The hearings are discussed below.

his original agreement. Bills were filed in Chancery in Easter term 1724, and in February 1725 both parties petitioned for a hearing; one was set for 2 March. The Duchess wrote to the Attorney General, Sir Philip Yorke, for assistance.⁵ After some reluctance, partly because of pressure from Ward, he accepted the brief. The Duchess supplied him with evidence.

Ward sent a man to Tempt my Sons. Valet dechamber to wittnes something for him wch he said if he would come away and doe he should never want silver nor gold his Whole life... Mr Goosetree was last night offerd 4000 to betray our Cause.⁶

She also offered passionate resentment:

could ys letter discribe ye preposterous frauds, & uncommon cheats put upon ye late duke... by ys Mr. Ward... you would not be Surpris'd, that I am very desirous of such an assistance as yours; to free my son from a Mans Power who is not contented to have cheated his father of above threescore thousand Pounds... but now is indeavouring to Ruin his Estate.⁷

The letters are full/^{of}complaints against Ward's 'Trifeling with ye Courts of Justice' and fears that 'we shall be forg'd out of all he has been pleased to leave us'.

⁵The Duchess's letters to Yorke, nearly all of them undated, are in the Hardwicke papers: BL, Add. MSS. 35585, ff.18,247-259. Yorke declared himself unsympathetic to forgers in weighing the case of Paul Wells: to Newcastle, 13 August 1749, BL, Add. MSS. 32719, f.50.

⁶Add. MSS. 35585, ff.253-254.

⁷Add. MSS. 35585, f.251v.

ye man grows if possible worse and worse;- he has certainly got affidavits mad by some of his creatures yt I threatnen'd ; or contriv'd to assassinate him... I gues I need not tell you that had I been capable of that work we should have all sav'd a good deall of trouble.⁸

The court at length found in her favour. But Ward made further demands and threats, declaring 'the Possession must remain where it is, except it should be rent from me through the Sides of my Privilege; which I always told your Grace I would never depart from'.⁹ The Duchess contrived to acquire further legal muscle, and on 13 March the young Duke's trustees, an aristocratic cabal including Lord Trevor, Lord Bathurst, and the Earl of Orrery, presented a petition to the House of Commons to get Ward's privilege annulled.¹⁰ Various new allegations of Ward's intimidatory tactics were made. Ward was recalled from the country, where he had been granted ten days' leave 'upon extraordinary Occasions', but his defence was overruled. While the decree was still being drawn, the Duchess, 'with Lord Portmore, &c' arrived in Yorkshire to repossess the estate. After some argument with Ward's brother and deputy, the company resorted to force and 'Mr. Ralph Ward, brother to Mr. John Ward, was heaved out of

⁸Add. MSS. 35585, f.259.

⁹Letter dated 3 March 1725, printed in *Commons Journal*, XX, 440 (13 March 1725).

¹⁰Some reason, why this Honourable House 'tis Hoped will declare, that Mr. John Ward of Hackney... has no Privilege in a cause depending in the Court of Chancery; BL, 357.b.7 (110). See *Commons Journal*, XX, 439 (13 March 1725).

Possession of the Allom-Houses, and the doors shut against him'.¹¹

At this point it was discovered that a quantity of alum assigned by the decree in Chancery to the young Duke was not to be found; Ward had shifted a similar amount to his own warehouses, perhaps during his leave from parliament. He had produced a certificate from the Duke making over some of the alum to himself, but the document was suspicious: 'Razure' and different Hands and Inks was soon discover'd by the Lords Commissioners on the Bench, and rejected by them with Scorn'. Ward then appealed to the House of Lords and brought the certificate in support. The case was heard on 4 May, with Bathurst and Orrery in attendance. The appeal was thrown out, the writ affirmed, and costs awarded. Moreover, special notice was taken of Ward's certificate:

this House observing many Razures and other violent Suspicions of Forgery in the said Paper, it is further ORDERED, That His Majesty's Attorney General do prosecute the Appellant for the same, in such Manner as he shall think fit.¹²

Yorke opted for King's Bench. Nearly forty years later he pointed the case out to his son (the Attorney General of

¹¹See *The British Journal*, 27 March 1725, and *The Case of John late Duke of Buckingham*, p.3. Ralph Ward's diary is printed in *Two Yorkshire Diaries*, edited by C. E. Whiting (Gateshead, 1952), pp.139-223; it records his dealings in alum, cattle, land and real estate, and mentions John Ward's final illness: p.169.

¹²*Lords Journal*, XXII, 530 (4 May 1725), and *English Reports*, I, 1511-1515.

the day), who was looking for loopholes in Wilkes's privilege in order to prosecute him. 'I filed the information in my own name', he recalled.¹³ The virtue of this *ex officio* information was that it avoided any preliminary hearing, and got the case effectively onto home ground.¹⁴ Here Yorke was to transform his role from civil opponent to criminal prosecutor.

The Duchess was soon badgering Yorke to get on with the prosecution. 'I have examin'd how it comes, ~~yt~~^{yet} not one Step has been made in pursuance to my Request and their Losps' command, that I might discover if amongst... any of my people, there have been some have omitted their Duty, wch tis possible I may perceive & I am sure^I won't suffer':

I meet in all places with Reports wch I think very disadvantageous one's, that after I have Receiv'd soe remarkable a peece of Justice from ye house of Lords... yt I have been prevaild upon... to let it drop from having a just prosecution, I think, & know my self not ill natur'd, but would be sorry to be soe very unsteady as to proceed noe farther in bringing Mr Ward to be made a full and publick Example.¹⁵

Attacks on Ward began to appear in the newspapers, prompting one of the few public rejoinders to survive:

Mr. Ward...desires nothing more than that the Tryal may come on as SPEEDILY and PUBLICKLY as may be... the said

¹³To Charles Yorke, 30 April 1763, quoted in Philip C. Yorke, *The Life and Correspondence of Philip Yorke, Earl of Hardwicke*, 3 vols (New York, 1977), III, 490.

¹⁴See Emsley, *Crime and Society*, p.144.

¹⁵Add. MSS. 35585, f.18-18v.

Prosecution has been carried on with an uncommon Spirit and Prejudice against him... to frighten him from prosecuting his just Demands for...TEN THOUSAND POUNDS, which he still has^uon the Estate of the said late Duke.¹⁶

When the trial took place, Ward was found guilty and absconded. In the interval the Duchess was worried that the conviction had not been reported officially to the House:

You and ye other Gentlemen who carry'd on ye prosecution with ye success it has had, and Sir R. Gravener One of their own members having been ye foreman of ye Jury who brought him in Guilty must be a full Conviction to ye House... and a sufficient opertunity for them to act as their own hon^our seems to Require.¹⁷

Yorke took the hint: he recalled that 'after a verdict and judgement against him, I laid a copy of the record before the House, and he was expelled upon my motion'. The accused was summoned, but could not be found; he was expelled, 'nem. con.', on 16 May.¹⁸

Ward gave himself up just before being outlawed and appeared in court on 4 February 1727. The Duchess

¹⁶*The Daily Journal*, 10 February 1726; and *The British Journal*, 12 February. The Duchess refers to this demand in a letter to Yorke, Add. MSS. 35585, f.259. She also mentions 'an infamous false Defence on himself in print' (f.247), probably *The Case of J- W-* (no imprint), which explains away the alterations in the receipt and insists that the Buckingham estates gained enormously from his tenancy.

¹⁷Add. MSS. 35585, f.249. The Duchess's private reason for wanting Ward out of parliament was that his privilege was still causing problems.

¹⁸See Yorke's letter of 30 April 1763 (above, n.13), and *Commons Journal*, XX, 701-702 (16 May 1726). Ward's directorship of the East India Company was also terminated.

encouraged Yorke to use all his eloquence to 'gain ye justest sentence [?that] was ever past on the Crime of forgery' and listed all the aggravating circumstances she could think of.¹⁹ After two days of arguments over a motion in arrest of judgement, Ward was sentenced to a fine of £500 and a spell in the pillory. He also had to find securities for nine years' good behaviour, and was imprisoned until the fine was paid.²⁰ He made a last attempt to wriggle free of the pillory with an affidavit alleging illness, but to no avail; the papers reported that 'when he was taken down, he bled much at the Mouth, and was speechless/^{and senseless} for some Time'.²¹

This was not the end of John Ward as a political figure. As late as 1741 he was trying to ingratiate himself with the Walpole administration by acting as electoral advisor to John Olmuis in the poll at Weymouth, one of his old constituencies. 'I have the highest Ambition to approve myself to the G.M.', he wrote, impatient at Olmuis' hesitation at his plan to create fictitious freeholds, with voting rights, at a nominal price.²² But his image is focused more sharply by continuing appearances in the courts. A few months after his appearance in the pillory, Ward wrote to Yorke to retain him as counsel in another

¹⁹Add. MSS. 35585, f.247.

²⁰See *English Reports*, XCII, 451-456, 732; and XCIII, 824-826, XCIV, 7.

²¹*Brice's Weekly Journal*, 24 February 1727.

²²See Ward to Olmuis, 22 January 1741; CUL, MS Chol. 3061.

case.²³ He had good need of counsel, being involved in a number of cases. In 1730 he was bankrupted with debts of £59,000, and the assignees under the Commission of Bankruptcy alleged he had disposed of most of his estate in prior conveyances to his family and others. The case was still being batted back and forth between Chancery and the Lords in 1738.²⁴ The violence implied in earlier cases began to receive attention. In 1731 Ward was in trouble for getting himself rescued from custody and wounding some of the officers.²⁵ Two years later he was attacked by *The Grub-street Journal*:

Sir, the big W--d, late of H-kn-y, now lying a Prisoner in the Fleet, with a Halter about his neck, as it were, cannot however help still imagining himself a very considerable person and of vast consequence. Upon the strength of this conceit he delegates his authority to a pack of the most impudent and profligate fellows in the prison, who are his bullies upon all occasions, gives Orders, and acts as imperiously as if he was WARDen himself.²⁶

²³Letter dated 13 April 1727, BL, Add. MSS. 35585, f.58; possibly concerning the case mounted by the Trustees of the South Sea Company, discussed below. Another dispute is to be found in *Lords Journal*, XXII, 620-621 (14 and 16 March 1726). The petitions (*John Ward and Henry Fenn, Esqs... Appellts. Margaret Johnson... Arthur Collier, and Margaret his Wife... Respondents*) are in BL, L.3.a.1 (vol.3), 160, 161.

²⁴*Conrad de Gols, Esq, and John Read, Gent, Assignees, under a Commission of Bankruptcy, awarded against John Ward, late of London, Merchant*; BL, Add. MSS. 36153, ff.141-159. This petition is accompanied by a store of manuscript notes on the case; see also *English Reports*, XXV, 758-759, I, 759.

²⁵*Fog's Weekly Journal*, 5 June 1731.

²⁶*Grub-street Journal*, no.208 (20 December 1733); printed more fully in my "Ward in Pillory", pp.203-204.

Also printed were some verses identifying Ward as a 'monster' and exhorting inmates to be 'bold to guard /Against the mischief, and to Poison Ward'. The writer further recounted how Ward had taken to poisoning dogs for fun, and how a small child had taken in some of the poison from his pet: 'this accident very much alarms the whole house, lest the poison'd dogs should get to our pitchers and pans of water, which may be of fatal consequences to many'. Here the man of property is reduced to a natural villain; not only forger but thug, potential murderer, and the source of a spreading poison.²⁷

b; The Unparallel'd Impostor

The career of Japhet Crook (alias Sir Peter Stranger) is recounted in a similarly hostile tone, but through a very different manner of record. One source is James Moore's *The Unparallel'd Impostor: Or, The Whole Life, Artifices and Forgeries of Japhet Crook* (1731):

The Publick will soon perceive, that what is here laid before them, is neither Romance nor Forgery; but incontestable Matters of Fact, supported by authentick and legal Vouchers...²⁸

²⁷For later references to Ward's financial troubles see *English Reports*, XXVI, 99, 165-167.

²⁸p.iii.

Another is *The Right and True History of the wicked Life and Actions of the Lady Lawely, and Sir Peter Stranger* (not dated). This pretends to no more than chapbook status. But the two accounts are remarkably similar. Leaving his honest brewer father, Crook marries bigamously, takes out double mortgages, goes bankrupt,²⁹ is imprisoned, bilks his surety, defrauds various officials, and is suspected of rebellion. He is as mobile as any Defoe hero, perpetrating his 'pranks' all over the British Isles and the West Indies. He cheats orphans, restores virgins, is whipped for 'imposture', marries twice more, is convicted of perjury and pilloried.

In the Height of his Rogueries, he judg'd it absolutely necessary to change his Name, and accordingly took upon him the Name of Sir Peter Stranger... In whatever Country Towns or Villages he went, he always made the Appearance of a Gentleman, and maintain'd, by his ill-got Treasure, two Men, little inferior in Habit to himself, who rode about the Countries with him, greatly extolling his Name... this induc'd ignorant People to let him do Business for them at their Quarter-Sessions, and by this Means he cheated those who employed him.³⁰

At length he arrives in Westminster, living 'by Tricking' and adopting the 'Character of a Merchant' in order to 'give Credit to his Forgeries'. Various law-suits are joined. He wheedles into the favour of one Hawkins, a miser, and contrives to get a will made in his own favour;

²⁹We can underpin the narrative somewhat with Crook's advertisement to his creditors in *The Daily Courant* of 14 January 1707.

³⁰*Right and True History*, p.3.

the miser then dies. His relatives, already with a case against Crook in hand, discover a lease for Jaywick Abbey, which Crook had pretended to make over to Hawkins; the owner, Joseph Garbut, declares the lease a forgery.³¹ In February 1729 Crook is convicted (like Ward, in King's Bench, and before the same judge, Lord Raymond).

So the experiences of two men converged. Somehow Crook managed to forestall judgement for two years.³² During this time he made an 'attempt to spirit away the most material Evidence against him' through the agency of one 'Lady Lawley', a desultory account of whom is given in the *Right and True History*. She was sentenced to a fine of 300 marks and a month in prison.³³ In May 1731 Crook lost his final attempt to argue the case away, and the court ordered that the sentence be carried out.³⁴

On Thursday, the 10th of June, he was brought from the King's Bench Prison... and at the Hour of Twelve was set on the Pillory at Charing-Cross: At One o'Clock Jack Ketch, by the Directions of a Surgeon, with an Incision, or pruning Knife cut off both his Ears; and with a pair of Scissors slit both his Nostrils: All this he underwent with great Patience, but when the Hangman came to sear his Nostrils with the red hot Iron, he was in great Torture, and could not bear it; so that only one Nostril was sear'd up, so that he went from the Pillory bleeding. N.B. The Executioner was drest in a Butcher's Habit.³⁵

³¹For *Hawkins v. Crook*, see *English Reports*, XXIV, 860-862, XXV, 402-403, 453-456; see also XXVI, 1142, and XCII, 1153.

³²For the hearings on a motion in arrest of judgement, see *English Reports*, XCIII, 93; XCIV, 115, 297, 310, 652, 747.

³³See *English Reports*, XCIII, 930; XCIV, 180, 187, 195, 199, 309, 412, 682, 748-749.

³⁴See *Fog's Weekly Journal*, 29 May 1731.

³⁵*Right and True History* p.6. See also the account given in *The London Journal*, 12 June 1731, reprinted in *TE*, III.ii, 96.

He died three years later, in prison.

c: Satire

Pope was introduced to John Sheffield in about 1706, and celebrated the friendship in a number of poems.³⁶ The Duke's commendatory verses *On Mr. Pope and his Poems* were set in pride of place at the head of the 1717 *Works*. After the Duke's death the Duchess selected Pope as editor of the posthumous edition. The poet was also involved in the prosecution of John Ward, a few years later. Early in 1725 the Duchess wrote to Pope

I am much oblig'd to Lord Harcourt for his friendly assistance in helping my Son against the variety of Injustices which we meet with from Ward... I have wrote to Lord Trevor who has appointd a meeting at our house & hopes to have the Bussines heard this sessions - I expect you to morrow ³⁷

Lord Harcourt was a friend and unofficial legal advisor to Pope, who had evidently solicited his aid for the Duchess. Another lawyer friend was Matthew Pigott, who collaborated with Yorke on the prosecution.³⁸

³⁶See *An Essay on Criticism*, l.723 and note, *Epistle to Dr Arbuthnot*, l.139, *Dunciad* (A), II, 132, note; *TE*, I, 323-324, IV, 105, V, 114.

³⁷*Correspondence of Pope*, II, 286-287. In the manuscript (BL, Add. MSS. 4809, f.211b) Ward's name is erased.

³⁸See Yorke's note on one of the Duchess's letters, Add. MSS. 35585, f.18.

A year after Ward appeared in the pillory, he appeared in *The Dunciad*. In the *Dunciad Variorum* of 1729 a note appeared detailing Ward's crime and his expulsion from parliament. But his full significance is worked out in the later Horatian satires. Contempt for obsessive accumulation of money was part of Augustan (and Opposition) ethics and Pope's work is full of misers - one of whom, incidentally, was cited in the debate which threw out Ward's claims to privilege.³⁹ In the *Epistle to Bathurst* (1733) Ward, and Japhet Crook, figure as abusers of riches.⁴⁰ In a long note to line 20, Pope outlines the shadier aspects of Ward's career:

He was suspected of joining in a conveyance with Sir John Blunt, to secrete fifty thousand pounds of that Director's Estate, forfeited to the South Sea Company... The Company recovered fifty thousand pounds against Ward; but he set up prior conveyances of his real estate to his brother and son... Ward was imprisoned, and hazarded the forfeiture of his life, by not giving in his effects till the last day...

In a note on Blunt in some editions (l.135), Pope gave more details of the dealings between the South Sea director and Ward, implying that Ward had attempted to

³⁹See *Commons Journal*, XX, 440 (13 March 1725), on Sir John Cutler. For Pope on Cutler see *Epistle to Bathurst*, ll.315-334; *TE*, III.ii, 119-120; and see 109, note.

⁴⁰Bathurst was of course one of the Duke's trustees, and one of Ward's prosecutors; he was also named as one of Pope's executors.

keep the secreted estate for himself.⁴¹ He also drew attention to the story about poisoning dogs, and computed Ward's 'worth' in an ironic biography:

To sum up the worth of this gentleman, at the several aera's of his life; at his standing in the Pillory he was *worth above two hundred thousand pounds*; at his commitment to Prison, he was *worth one hundred and fifty thousand*, but has since been so far diminished in his reputation, as to be thought a worse man by *fifty or sixty thousand*.

This eclipse of the moral by the monetary is also exemplified in Japhet Crook. Pope asks if riches can give 'to dying Hopkins Heirs; /To Chartres, Vigour; Japhet, Nose and Ears?'⁴² Ward and Crook will risk body and indeed life in the pursuit of gain. Pope's note on Crook recounts the forgery and other frauds and concludes 'by these means he was *worth* a great sum, which (in reward for the small loss of his ears) he enjoy'd in prison till his death, and quietly left to his executor'.⁴³

John Ward seems to have been a family man, in the sense that his father, his brothers Ralph and Joshua (of 'Ward's Drop' fame, and more than once satirized by Pope)⁴⁴ and

⁴¹TE, III.ii, 104. In the same editions (of 1735) Pope gave a much more explicit and potentially libellous turn of phrase to the note on Ward: see Howard Erskine-Hill, 'Pope and the Financial Revolution' in *Writers and their Background: Alexander Pope*, edited by Peter Dixon (1972), pp.200-229, at p.200. For the South Sea case see *English Reports*, XXIV, 842-843, XXV, 381, 449-452.

⁴²ll.87-88.

⁴³TE, III.ii, 95-96.

⁴⁴See *Epistle to Dr. Arbuthnot*, l.29, and *The Sixth Epistle of the First Book of Horace Imitated*, l.56; TE, IV, 98, 241. See also Pope to John Brinsden, c.17 January 1741, *Correspondence of Pope*, IV, 329.

his son Knox were all involved in his business litigation. A forgery by one of his brothers was cited as a precedent against him.⁴⁵ But in a more important way, Ward was a member of a tribe. Apart from the reference in *The Dunciad*, Pope always brackets him with someone else. In the *Epistle to Bathurst* (l.20) he is annexed to 'Waters', Chartres and the Devil, and the note links him with Blunt; in a Horace imitation Pope writes of himself 'to cheat a Friend, or Ward, he leaves to Peter', indicating a fit alliance of tricksters.⁴⁶ The *Epilogue to the Satires* presents another pairing: 'Shall Ward draw Contracts with a Statesman's skill? /Or Japhet pocket, like his Grace, a Will?'⁴⁷ Bond and 'Peter' follow just behind. Crook himself appears in the company of Chartres⁴⁸ and Hervey:

A Knave's a Knave, to me, in ev'ry State,
 Alike my Scorn, if he succeed or fail,
 Sporus at Court, or Japhet in a Jayl,
 A hireling Scribler, or a hireling Peer,
 Knight of the Post corrupt, or of the Shire,
 If on a Pillory, or near a Throne,
 He gain his Prince's Ear, or lose his own.⁴⁹

The identifications are inter-exchanged and reversed across the pendulum-swing of the lines, bringing Hervey

⁴⁵See *English Reports*, XCII, 453.

⁴⁶*The First Epistle of the Second Book of Horace, Imitated*, l.197; *TE*, IV, 211. The same implication is made by Pope's statement that the 'fraudulent conveyance' between Blunt and Ward was discovered through 'a misunderstanding between these two friends'; *TE*, III.ii, 104.

⁴⁷Dialogue I, 119-120; *TE*, IV, 306.

⁴⁸*Epilogue to the Satires*, Dialogue II, 185-186; *TE*, IV, 324.

⁴⁹*Epistle to Dr. Arbuthnot*, ll.361-367; *TE*, IV, 122.

down to Crook's level as he had aspired to Hervey's by adopting the title 'Sir Peter Stranger' - a 'Knight of the Post corrupt' indeed.

Joseph Warton, speaking of one of the lines on Ward in the *Epistle to Bathurst*, contended that such names - Ward, Japhet, Walter '&c.' were repeated so often as to 'disgust the reader'.⁵⁰ Certainly there is some sense that these men form an almost arbitrary ensemble. In one version of the lines 'Is it for Bond, or Peter (paltry things) /To pay their Debts...'⁵¹ Pope substituted 'W--d' for 'Bond', and there does seem to be a certain interchangeability within the catalogue. The names form an uncharitable corporation, a body of men defined entirely by crooked finance, each tainted with fraud. In each case, the note animates the crime, and the text subsumes it, assimilating it as a natural feature of systematic social corruption. Ward and Crook represent the forgery department.

d: Punishment

Not everyone was pleased to see Ward in Pope's pillory (*Dunciad* (A), III.26). Curll took the line to refer to the writer Ned Ward, but the latter saw it as a reference to Ward of Hackney and complained that not only had Pope

⁵⁰*Essay on the Writings and Genius of Pope*, II, 360.

⁵¹*Epilogue to the Satires*, Dialogue I, 121-122; *TE*, IV, 307.

exhibited Ward in *The Dunciad*, he had written another piece at the time of Ward's punishment with a view

To animate the Rabble to abuse
 A Worthy, far above so vile a Muse?
 Tho', all in vain, for merit kept him free
 From your intended base severity:
 What envious Lady brib'd thee to express
 Her Fury, in the Days of his distress?
 And caus'd thy Muse to excreate so poor
 A Libel on so brave a Sufferer?

Curll then corrected himself, adjusting his Key to note that 'to please a certain EDuchess', Pope 'wrote a Satire...against [him] while he was under his Punishment; the greatest Act of Barbarity'.⁵² This enabled Pope in his annotated version to link the forger with the writers through their common experience in the pillory. After a sarcastic summary of Ward's strangely eulogistic account of his namesake, Pope reminds us that 'this brave,^{honest} worthy Gentleman was guilty of no offence but Forgery proved in open court'. Curll repeated his allegation that Pope had tried to rouse the crowd by means of 'a small Copy of Verses which were handed about while he was under the Punishment', and Ward accused Pope of a guilty conscience in taking a bribe to write an 'ill-natur'd Satyr, not the *Dunciad*, but a more uncharitable piece of Scurrillity,

⁵²Ned Ward, *Durgen* (1728), pp.11-12; Edmund Curll, *A Compleat Key to the Dunciad*, third edition (1728), p.16.

very maliciously timed against the Gentleman at Hackney'.⁵³

As Ward noted, Pope never actually denied the charge. Later indeed the Duchess did attempt to buy off her obligations to Pope with a note for £100, leading the poet to a somewhat more radical view of her involvement in prosecutions.⁵⁴ Moreover, there was a small copy of verses on Ward. *Verses Occasioned by the Judgement passed on John Ward of Hackney*⁵⁵ casts Ward an apocalyptic villain, his sentence restoring the faith of the humble citizen:

Cries from the naked Orphan's feeble breath,
The Poorman's Curse in Agonies of Death,
Pangs of the famish'd, Wants of the forlorn,
And wrongs of Children's Children yet unborn,
At length are heard - Lo, Cain from mankind driv'n!
Hiss'd, pointed, mark'd! proscrib'd by Earth and Heav'n!
Is there a place where Ward can stand forgiven!

The piece could well have been hawked while Ward was in the pillory. Moreover, it contained references to Bathurst, Trevor and Harcourt, all friends of Pope, and it linked Blunt with Ward in the way Pope was to do. Pope was known to be of the Duchess's party in the matter, and this would make the attribution easy.

⁵³Curll, *The Curliad* (1729), p.28; Ward, *Apollo's Maggot in his Cups* (1729), pp.32-36.

⁵⁴See the 'Character of Atossa' in the *Epistle to a Lady*, ll.115-150; TE, III.ii, 59-62, and notes thereto.

⁵⁵Undated. Most of the poem is reprinted in my "'Ward in Pillory'", pp.200-201.

The authorship of the piece is, however, less important than the content. It closes by stressing the uniformity of opposition to Ward: 'Stay, Justice, yet-a-while; Behold, for thee, /Once, Harcourt, Trevor, Lechmere, could agree!'. Some unity of interest appeared also at the pillory:

There was the greatest Concourse of people in Palace-Yard Yesterday to see Mr. Ward stand in the pillory... that perhaps has been known on any such Occasion... The Duke and Duchess of Buckingham, his prosecutors, and many of both Houses of Parliament, were among the Spectators.⁵⁶

The House of Lords had ordered the prosecution, the House of Commons expelled the convict. Did the case mark a new hard line against forgery?

John Ward was not the first M.P. to be accused of the crime. In the last years of the seventeenth century, a massive fraud involving alteration of Exchequer bills was uncovered and laid at the door of John Knight (the Customs cashier), Bartholomew Burton (the Excise cashier) and Charles Duncombe, a goldsmith banker with a reputation for stockjobbing and greed. Pope alludes to him in the lines 'And Hemsley once proud Buckingham's delight, /Slides to a Scriv'ner or a City Knight', as an example of money eating up land and rank.⁵⁷ On discovery of the fraud,

⁵⁶*Brice's Weekly Journal*, 24 February 1727.

⁵⁷*The Second Satire of the Second Book of Horace Paraphrased*, ll.177-178; *TE*, IV, 69.

Duncombe was expelled the House and committed to the Tower, while the Attorney General prepared the case against him. The House of Lords voted to release him (by one vote), but the Commons imprisoned him once more. Two trials in King's Bench collapsed; the two cashiers were tried in the same court and something of the same confusion applied. Serious as the case was - in the crisis atmosphere surrounding the Great Recoinage and the foundation of the Bank of England, it was said that the forgeries were designed to undermine the national credit system - Duncombe soon regained his seat, was elected Sheriff of London, and finally 'by means of unrestrained corruption' made Lord Mayor.⁵⁸

There seems to be a good deal more solidity about Ward's case: no contradictions whatever in the Houses, no question about the law, no speakers in favour. Pope defended his satire against Ward and Crook as a necessary punitive measure:

Shall Ward draw Contracts with a Statesman's skill?
Or Japhet pocket, like his Grace, a Will?

And must no Egg in Japhet's Face be thrown,

⁵⁸The cases are followed in Narcissus Luttrell, *A Brief Historical Relation of State Affairs*, 6 vols (Oxford, 1857), IV, 282-526. See also *Commons Journal*, XII, 23-174 (4 January-22 March 1698); *Lords Journal*, XVI, 222-289 (1 March-18 May 1698). See further, Thorold Rogers, *The First Nine Years of the Bank of England* (Oxford, 1887), pp.90-92; A. Andreades, *History of the Bank of England* (1909), p.89; Dickson, *Financial Revolution*, p.369; and J. H. Plumb, *The Growth of Political Stability in England 1672-1725* (1968), pp.117, 138-139.

Because the Deed he forg'd was not my own?⁵⁹

Curll, for all his opposition to Pope, was anxious to establish his own credentials: 'as to the Crime proved upon Mr. Ward, I hope, the Immortal Committee will bring a Bill into Parliament to make both Forgery and Perjury Death; for those who^{will} commit either are not fit to live'.⁶⁰ Moore depicted Crook, after his punishment, living it up in a sponging-house, and declared:

I cannot but...thoroughly lament the Deficiency of our Laws; when I reflect upon the Mildness of a Punishment for the Blackest of Crimes, which I look upon Perjury and Forgery to be; nay, Crimes of a deeper Dye, than even Murder it self... What Punishment... does that Wretch deserve, who through Perjury and Forgery attempts to deprive whole Families, and all that spring from them, of their Substance, and obliging them to pine away their Lives in Want and Misery? A poor Fellow is sure to be hanged... who picks a Pocket but of a Twelve-Penny Handkerchief... the Forger of Deeds... is only to lose his Ears, and still enjoy his Thousands.⁶¹

If the Duchess of Buckinghamshire is to be believed, such views had royal support:

to clear my desine on. Mr Ward from being to severe I must tell you ye other night, the King in ye drawing Room, askd me about this Tryall, wtho I gave him some account on; & he was pleased to say in any Country but ours, Ward would be hang'd & deserved it.⁶²

⁵⁹*Epilogue to the Satires*, Dialogue I, ll.119-120, Dialogue II, ll.189-190; *TE*, IV, 306, 324.

⁶⁰*Curliad*, p.28.

⁶¹*Unparallel'd Impostor*, p.2-3.

⁶²To Yorke; Add. MSS. 35585, f.250v.

Comments such as this date from late in the previous century. In 1685 appeared a pamphlet called *Brief Reflections upon the Inconveniencies attending Wilful and Malitious Forgery and Perjury, With some Reasons why such Crimes Ought to be made Felony*. This jeremiad asserts that forgery has been reduced to a system, a trade. Knights of the Post make a regular living out of any official document or property deed they can fake, family after family is pauperized, while 'that wicked Herd of perjured Satanists' gloat and boast. In a *Review* of 1708 Defoe recounts the execution in Scotland of two men for 'a trifling Thing, we make nothing of, call'd *Forgery*'. Here again wealthy families are sent 'ruin'd and miserable to the Fleet and Queen's-Bench for Shelter'; two thirds of those in debtor's prison are there because of forgers.⁶³ Twenty years later Bolingbroke announced

the abominable Crimes of *Perjury* and *Forgery* were never so frequent amongst us, as They have been of late; especially amongst Men of *Family* and *Fortune*. I need not put the Reader in Mind how many notorious Instances of this Kind the Course of a very few Years hath produced.⁶⁴

The calls of Bolingbroke and Curll were being answered; the time had come for severer legal methods.

⁶³A *Review of the State of the British Nation*, V, 67 (31 August 1708).

⁶⁴*The Craftsman*, no. 161 (2 August 1729).

For centuries forgery was regarded as a civil matter, emerging usually as reliance on forged documents in property disputes rather than as a crime in itself. It was dealt with by fines or civil suits, and forms virtually no part of criminal proceedings. This situation was ratified by 1 Hen.V c.3. Forgery was not effectively criminalized until the statute of 5 Eliz. c.14, which for forgery of deeds, wills and charters (Crook's crime) prescribed life imprisonment, forfeiture of estate, and the mutilations described above, and for forgery of notes of obligation (Ward's crime)⁶⁵ the pillory and a smaller fine. Second offences counted as felony. The Star Chamber dealt more freely with some cases, some of which were referred by Chancery; the court of King's Bench, in which most of the cases noted so far were heard, also played a part. Ward and Crook both illustrate the generation of the criminal from the civil in their appearances there.⁶⁶

⁶⁵Technically, Ward was prosecuted at common law, not by the statute.

⁶⁶See Sir William Holdsworth, *A History of English Law*, 17 vols (1956-1972), I, 457, II, 366, 452, 457, IV, 501-503, V, 289-293, XI, 534-535; Sir Frederick Pollock and Frederic W. Maitland, *The History of the English Crown Law Before the Time of Edward I*, second edition, 2 vols (Cambridge, 1952), II, 504-505, 540-543; W. J. Jones, *The Elizabethan Court of Chancery* (Oxford, 1967), pp.82, 232, 271 n.2, 406, 452, 500; Thomas G. Barnes, 'Star Chamber Litigants and their Counsel', in *Legal Records and the Historian*, edited by J. H. Baker (1978), pp.7-28; T. F. Tout, 'Medieval Forgers and Forgeries', *Bulletin of the John Rylands Library*, V (1919), 208-234; J. S. Cockburn, *A History of English Assizes 1558-1714* (Cambridge, 1972), p.99; Ralph B. Pugh, *Imprisonment in Medieval England* (Cambridge, 1968), pp.11, 13, 39, 105, 232, 307, 377, 381.

The lack of support for Ward and the insistence on the full sentence against Crook - a piece of exquisite brutality not perpetrated since Civil War times - indicated the willingness of the administration to inflict something more severe. The preamble to *An Act for the more effectual preventing and further Punishment of Forgery, Perjury and Subornation of Perjury*,⁶⁷ ^{notes} a 'late increase' in those 'wicked, pernicious and abominable Crimes', practised 'to the Subversion of common Truth and Justice, and Prejudice of Trade and Credit'. Forgery of almost every imaginable kind was made punishable by death, and Moore rejoiced:

our Legislature... from the flagrant and unparallel'd Practices of this Impostor, have now made it Felony; for by an Act of Parliament since his Conviction, one Cooper... for forging a Bond of 25l... has been tried, convicted, and executed for the same, on Wednesday the 16th Instant.⁶⁸

It is just possible that Crook had some influence in bringing about this happy occurrence, but the example of John Ward had already brought the issue directly into Parliament. The Lords introduced the Bill in February 1729, and after a committee stage under the Judges of the House it was passed to the Commons; here it was referred

⁶⁷2 Geo. 2 c.25. See below, Appendix Two.

⁶⁸*Unparallel'd Impostor*, p.iv. An account of the case of Robert Cooper is given in *Fog's Weekly Journal*, 5 June 1731.

to a Committee of the whole House which altered some provisions. Royal Assent was granted on 14 May.⁶⁹

So forgery was revised: in replacing the graded and gruesomely picturesque Elizabethan law with the monotone of death, Parliament brought forgery of all financial documents into line with the statutes protecting the instruments of all the new financial institutions. The Bank of England, which had received its first forgery within three months of the first note issue, had already prosecuted several offenders under capital statutes.⁷⁰ The 1729 Act was the last step in the formation of the dogma that forgery was 'the most dangerous crime in a commercial country' (Boswell on Dodd, whom Johnson failed to save from this law).

It is of interest that forgery should have been criminalized so early, and that it should remain at the forefront of legislation. G. R. Elton has written that 'many cases in... Chancery involved what would now be called crimes... Jacob treated fraud as the business of equity, extortion as... confined to offences by office-holders, and embezzlement as nonexistent'.⁷¹ Though some frauds were defined as felonies - secreting one's assets from creditors, for example, as in Ward's case - and

⁶⁹*Commons Journal*, XXI, 300-376 (25 February-14 May 1729); *Lords Journal*, XXIII, 332-437 (same period).

⁷⁰See W. Marston Acres, *The Bank of England from Within* (1931), pp.58-59, 82-84, 120-126.

⁷¹See his 'Introduction' to *Crime in England 1550-1800*, edited by J. S. Cockburn (1977), p.6.

though the situation was tightened through the century,⁷² forgery was in general the only fraud prosecuted. In all Pope's lists of corrupt city men, Ward is the only common criminal. The South Sea Bubble, the Charitable Corporation frauds, and so on,⁷³ were handled by Parliament itself, acting in default of law. And in Ward's case, forgery was the only legal hotspot in the whole history of embezzlement - 'unles he meets with what ye Crime should Repay him for all his former ones; I expect we shall be forg'd out of all he has been pleas'd to leave us', the Duchess wailed,⁷⁴ acknowledging forgery as the only clear crime. Of the rest of the crew only Peter Walter comes close to incrimination in Pope's unsubstantiated assertion of 1737 that 'Peter had... narrowly escaped the Pillory for forgery; and got off with a severe rebuke only from the Bench'. Here again there is a clear desire to reduce matters to a defined offence; the actual line is 'Ev'n Peter trembles only for his Ears', implying that forgery would have to stand for all his other offences.⁷⁵

Fraud was a spectrum, a mystery, corruption a Gordian knot only forgery could loose: it was the key to the

⁷²Radzinowicz, *History of English Criminal Law*, I, 637-640.

⁷³See *Epistle to Bathurst*, ll.101-108, 135, and notes; *TE*, III.ii, 100-101, 104.

⁷⁴To Yorke; Add. MSS. 35585, f.259.

⁷⁵*Epilogue to the Satires*, Dialogue II, l.57; *TE*, IV, 315. Howard Erskine-Hill found no confirmation of Pope's accusation: *The Social Milieu of Alexander Pope* (New Haven and London, 1975), pp.10, 125, 256. Walter features as a defendant in a Chancery case being heard in 1738, however: *English Reports*, XXV, 550.

mythology. If we look back at Defoe's complaints, for 'forger' we must read 'lawyer':

hang'd for Forgery! Remember that, Gentlemen Hangers onto the Law, that counterfeit Deeds, Mortgages, Wills, Letters of Attorney, &c. every Day... Petty-foggers, Projectors, Affidavit-Men, Hackney-Bail, Street-Sollicitors, and suchlike People...

These 'locusts' are what forgery means to Defoe. Bolingbroke's attack on forgery occurs as the highspot of a history of corruption and extravagance directed against Hanoverian society, and the political burden of the idea is even more evident in Budgell's *Verres and his Scribblers* (1732), where forgery of wills and deeds is a metaphor for Walpole's propaganda machine. Arbuthnot used the same motif,⁷⁶ and this is clearly part of Pope's thinking. Japhet = Sporus, Ward = Crook and the pair of them are no worse than corrupt statesmen:

Shall *Ward* draw Contracts with a Statesman's skill?
Or *Japhet* pocket, like his Grace, a Will?

The abuse of riches is always an intensely political matter.

Yet the implications are broader still. Ward fits the political bill to some degree, but Crook is a different kettle of fishiness. The focus of his interest was

⁷⁶See *History of John Bull*, pp.11, 33, 53, 61, 78.

primarily his fascinating human bogusness, his subversion of identities. The forgery stands for all this: 'the whole life, artifices and forgeries' are nailed by this one crime, each moral infringement by 'our Forger' being another realization of potential. In the 1685 *Reflections*, in many ways a model for the Compleat Rogue that Crook's biographers saw, the real issue seemed to be another impostor: all the references to 'the late grand Impostors of State', 'the unhinging of Monarchy, and the utter devastation and destruction of Kingdoms, Societies, and Families', the 'extravagant pranks and projects of those Monsters' tend to pin the label of 'perjured Satanist' on Titus Oates rather than a forger.

Perjury, indeed, had recently become a problematic issue following the discovery of the manipulations practised by Jonathan Wild, and the crime is acknowledged in the 1729 statute. Forgery too is said to be a crime not only against 'Trade and Credit' but 'common Truth and Justice'. There was even some confusion between the crimes. Pope noted of Ward 'this brave, honest, worthy Gentleman was guilty of no offence but Forgery proved in open court'; William Ayre wrote 'this brave, honest, worthy gentleman was guilty of no Offence, but Perjury, proved in open Court'.⁷⁷ In 1685 the crimes were 'these two pernicious and inseperable Companions'. Curll, Bolingbroke and

⁷⁷*Memoirs of the Life and Writings of Alexander Pope*, 2 vols (1745), I, 271.

others link them automatically, and they occur as pairs in an untraced pamphlet of 1732 called *A Dissuasive from the reigning Vices of the Age, Common Swearing, Perjury, and Forgery*.⁷⁸ Moore paired the offences as 'the Blackest of Crimes'; the *History of Crook* was illustrated with a woodcut bearing out the equivalence.⁷⁹ The 1729 statute ratified the connection, as did others. Impersonation was linked with forgery of signatures.⁸⁰ Forgers, with perjurers, were debarred from acting as witnesses or attorneys.⁸¹ Many species of falsity were implied as cognate.

Yet the law, as well as linking trade with common truth, and forgery with perjury, also differentiated between them: forgery merited death, perjury and subornation only transportation.

The Act... is a very good Law: Tho' some Persons would have liked it better, if the Crime of Perjury were made a capital Offence, as^{well} as that of Forgery: because it is a Crime of equal, if not greater Mischief to the Publick Community: By Forgery, a Man may unjustly lose his Estate; but by Perjury, an innocent Person may lose... his Life.⁸²

⁷⁸Advertised in *OBSP*, 11-13 October 1732, p.248: 'The Right Hon. Sir Francis Child, Kt. Lord Mayor, bought a Number of this Pamphlet to be given away. It's hoped so good an Example will be follow'd by other Gentlemen...'. See also Gildon, *Post Boy Robb'd of his Mail*, p.69; *Pamela in High Life* (1741), p.189; *The Paths of Virtue Delineated* (1756), p.101; and Graham Midgely, *The Life of Orator Henley* (Oxford, 1976), p.130.

⁷⁹See Appendix Three.

⁸⁰Radzinowicz, *History of English Criminal Law*, I, 650-652.

⁸¹Rogers, 'Pope and the Social Scene', pp.127-128. It may be that the connection between forgery and perjury derives from the use of false evidence in court, written or oral.

⁸²Giles Jacob, *The Mirrour* (1733), p.66.

Pope had contrasted his forgers' obsession with money against natural values. But for all the loaded imagery and political emphasis of his satire, the forgery which Pope sees is narrower, more precise, than the association with perjury suggests. Crook's value as a rogue depended more on fake identity than documentary abuses; it is his perjury which is blazoned on the title page of his *History*. Pope selects from this mythology the forgery of a deed and the procuration of a will: the issues which brought him down. In adapting the ranging *pizaro* to the abuser of riches, Pope leans towards the newer economic view of forgery.

Pope's forgers stand in the pillory at a turning-point in the history of forgery which they were partially responsible for creating. The 1729 statute abandoned the Elizabethan system of punishment by civil forfeiture and cumulative torture, and established this crime against the economy within the mainstream rhetoric of the absolute death sentence. The law still regarded forgery and perjury as similar offences; 'common truth' and the laws of the market were both to be satisfied. But the market was of greater importance. Pope ignores the rich human mythology surrounding the crime and concentrates on the money which Crook has failed to earn - 'in reward for the small loss of his ears'. The commercial meaning of 'forgery' has begun to emerge.

CHAPTER TWO: QUILLS AND WILLS

a: Writing and Forgery

In the course of a defence of his satiric practice Pope refers to Japhet Crook as a non-literary enemy:

... *Japhet*, 'tis agreed,
Writ not, and *Chartres* scarce could write or read,
In all the Courts of *Pindus* guiltless quite;
But Pens can forge, my Friend, that cannot write,
And must no Egg in *Japhet's* Face be thrown,
Because the Deed he forg'd was not my own?¹

There was always some connection between the two types of penmanship. It was suggested that Dr Dodd be made a bishop, so that 'as he will have no Occasion to read, he will find no urgent necessity to write'; in 1803 Wordsworth was told 'not to meddle with pen and ink' in case he ended up in the situation of the recently-executed forger and impostor John Hadfield.² Pope's 'Pens... that cannot write' keeps the two realms just apart, using the crime as a thwarted literature, shadowing literary writing closely enough to suggest relation but not force conflation. We have already seen how Pope could compare forgery of his name in print to forgery of monetary documents; that was in the *Miscellanies* of 1727, the year

¹*Epilogue to the Satires*, Dialogue II, ll.185-190; *TE*, IV, 324.

²*St. James's Chronicle*, 25-27 February 1777; Dorothy Wordsworth, *Recollections of a Tour Made in Scotland A.D. 1803*, edited by J. C. Shairp, second edition (Edinburgh, 1874), p.2. For Hadfield see *The Trial of Henry Fauntleroy and other Famous Trials for Forgery*, edited by Horace Bleackley (Edinburgh and London, 1924), pp.217-228.

in which John Ward was pilloried. In this chapter we shall look at the analogy in general, and find a specific example in the case of Eustace Budgell.

The criminality of Grub Street, as a theme in literature and in the courts, has received a certain amount of commentary.³ Certain forms of writing, such as Newgate biography, had inescapable criminal links. Other crimes were more metaphorical: 'anonymous Authors', claimed Dennis, 'have lain lurking in the dark, sometimes in Clubs, and sometimes solitary, like so many ^{common} rogues and Footpads'.⁴ Pope's alleged plagiarisms were likened to the work of a highwayman, while he and Wycherley jokingly aligned the *Miscellanies* put out by Jacob Tonson with those of the Ordinary of Newgate.⁵ The courts provided a model for defining bad literature, as in *The Tryal of Colley Cibber For writing a Book entitled An Apology... wherein he is proved guilty of High Crimes and Misdemeanours against the English Language* (1740) and several other critical 'sessions'.⁶ Sociological factors emphasized the common ground: some poets tended to get

³Notably in Pat Rogers, *Grub Street: Studies in a Subculture* (1972), and Davis, *Factual Fictions*, pp.123-137.

⁴John Dennis, 'Preface' to *Reflections Critical and Satirical Upon a late Rhapsody called, an Essay on Criticism* (1711).

⁵*A Complete Collection of all the Verses*, pp.6-7; Pope to Cromwell, 1 November 1708, Wycherley to Pope, 26 May 1709; *Correspondence of Pope*, I, 52, 62. See also *Dunciad* (B), I, 281; *TE*, V, 290.

⁶See Henry Fielding, *The Covent-Garden Journal*, no. 8 (28 January 1752); *Proceedings at the Court of Apollo* (1752); Giles Jacob, *The Mirrour* (1733), p.73; and *A New Rehearsal; or, Bays the Younger* (1714), sig. A2r.

into debt and thereby into prison; others were members of the legal profession. Eighteenth-century culture was 'profoundly legalistic'; Pope had many lawyer friends, was involved in cases ranging from literary piracy to forgery and sedition, and put legal terminology to effective use in his poems.⁷

Libel was the specific literary crime: with the lapse of licensing laws writing was censored and controlled by more punitive measures. Defoe, Steele, Ward, Curll, Ridpath and many others fell under ministerial invocation of the law and were pilloried or fined. Books could be burnt by the common hangman.⁸ Pope and Swift were themselves sometimes in danger; both took legal advice on some of their publications, and Pope dramatized the risk in *The Epilogue to the Satires*. The Dunces threatened reprisals and commented

It is odd, that one, who... has dar'd to appear in the House of L---- and in other Courts, to *claim Rights* in a Country, where, by Law... he *ought to have no Right at all*, has not rouz'd the Execution of the Penal Laws, as an Answer to the *Persecution of his Dunciad*: you would be *disabled from suing any Person, in any Cause*, (as you, who *pyrate and rob all*, NOW SUE for *pyrating your Works*,) was you convicted...⁹

⁷See Pat Rogers, 'Pope and the Social Scene', in *Writers and their Background: Alexander Pope*, pp.101-142, at pp.127-136.

⁸Rogers, *Grub Street*, pp.283-291. J. A. Downie, in *Robert Harley and the Press* (1979) documents the ways in which the law could be used; see also Goldgar, *Walpole and the Wits: The Relation of Politics to Literature, 1722-1742* (Nebraska and London, 1976).

⁹John Henley, *Why How Now, Gossip Pope?* (1743), p.3; and see Pope *Alexander's Supremacy and Infallibility examin'd* (1729), p.8.

'Atex' Burnet listed Pope's criminal friends from Bolingbroke and Atterbury down to Savage, depositing the poet in Newgate to talk literature with the Ordinary; Dennis described Pope's vengeance on Curll as the act of a housebreaker.¹⁰

But Pope's writing was already part of a legal literature. Ruffhead (another lawyer) states that Pope designed his work as 'a supplement to the public laws' and this is clear enough in the 'Letter to the Publisher' attached to *The Dunciad*, where Pope justifies his pursuit of the Dunces:

were not all assassins, popular insurrections, the insolence of the rabble without doors and of domesticks within, most wrongfully chastised, if the Meanness of offenders indemnified them from punishment?¹¹

This 'satiric penology' extends throughout the Horatian pieces, identifying literary and other malefactors alike.¹² The most obvious metaphor is the pillory, and it is worth noting that the first instance of this usage recorded by *OED* occurs in 1699 when Bentley accuses the Phalaris bookseller, Bennet, of having 'pillouried himself..

¹⁰See *Achilles Dissected* (1733), pp.21-29; Dennis, *Reflections on Mr. Pope's Translation of Homer* (1717), p.92.

¹¹Ruffhead, *Life of Alexander Pope*, II, 26; *TE*, V, 14.

¹²On this theme see Rogers, *Grub Street*, pp.295-296, 341-342.

in Print'.¹³ Pope was quite explicit in naming names in this way, even if the Ordinary of Newgate was more tender:

General Satire in a Times of General Vice has no force, and is no Punishment... tis only by hunting One or two from the Herd that any Examples can be made... if some are hung up, or pilloryed, it may prevent others.¹⁴

Pope's poetical pillory represents the likeness of punishment by exhibiting a note explaining the crime involved - just as criminals in the pillory were labelled:

*If a word or two more are added upon the chief Offenders; 'tis only as a paper pinn'd upon the breast, to mark the Enormities for which they suffer'd; lest the Correction only should be remember'd, and^{the} Crime forgotten.*¹⁵

The pillory scenes in *The Dunciad* reinforce this punitive model.

The pillory was used as a punishment for, among other crimes, seditious libel, perjury, and forgery. In satire the distinctions may be somewhat blurred: Pope identifies a criminal ecology which 'fills the streets and highways with Robbers, and the garrets with Clippers, Coiners, and Weekly Journalists'.¹⁶ That coiners did emerge from the

¹³*Dissertation upon the Epistles of Phalaris* (1699), p.xviii-xix.

¹⁴Pope to Arbuthnot, 2 August 1734; *Correspondence of Pope*, III, 423. See also Pope and Habelingbroke to Swift, 13 March 1732, *Correspondence of Pope*, III, 276, and *Epilogue to the Satires*, Dialogue II, l.11; *TE*, IV, 313. See also Walter Harte, *An Essay on Satire, Particularly on the Dunciad* (1730).

¹⁵'Advertisement' to *The Dunciad*; *TE*, V, 9.

¹⁶'Letter to the Publisher', in *The Dunciad*; *TE*, V, 15.

historical Grub Street helped the case.¹⁷ Ruffhead recorded that one of Pope's own translators was executed for coining.¹⁸ We have seen how close Pope is prepared to make forgery and false ascription, and forgery has a number of other senses in the context. Coining provided a common metaphor: Pope's *Essay on Criticism* was written by one who 'knows exactly what Quantity of base Alloy is at this Juncture requisite to debase the Coin of Parnassus, and reduce it to the current Standard'; modern dramatists, 'like Coiners of Counterfeit Money, should be drawn, hang'd and quarter'd, for High-Treason against... their Sovereign Lord King *Drama*'; it ought to be 'as criminal to *Coin Words*, as *Money*'.¹⁹ Pope's Weekly Journalists are coiners in the sense of Sheridan's 'utterers of forged tales, coiners of scandal, and clippers of reputation'; Budgell himself writes of newsmongers 'amusing their Hearers with an everlasting series of Fictions and Forgeries' and accuses Walpole of criminal and literary forgery at once.²⁰ Defoe never tired of exposing 'forgery' in this sense.²¹ The statute outlawed

¹⁷See Rogers, *Grub Street*, p.415.

¹⁸Ruffhead, *Life of Pope*, I, 81.

¹⁹John Dennis, *Reflections Critical and Satyrical*, p.1; Defoe, *A System of Magick* (1728), p.342; *An Essay upon Projects*, in *Selected Writings of Daniel Defoe*, edited by J. T. Boulton (Cambridge, 1975), pp.23-34, at p.30.

²⁰R. B. Sheridan, *The School for Scandal*, edited by F. W. Bateson (1979), p.35 (II.1); see also pp.44, 53-54, 126 (II.2, III.1, V.2) for continuation and near-embodiment of the theme. Budgell, *The Moral Characters of Theophrastus* (1714)³⁰ and *Verres and his Scribblers* (1732), pp.32, 47, 50, 65.

²¹*A Review of the State of the British Nation*, V, 123 (8 June 1709), VIII, 34 (12 June 1711), 106 (27 November 1711), 207 (19 July 1712).

'publication' or 'uttering' of forged 'writings'; Dodd was 'author of the forgery, and likewise the publisher'.²²

If the pillory was the true home of this sort of writing, a General History of Ears focuses the issues the more sharply. Defoe's appearance in the pillory linked him with a seditious forbear: the Goddess 'saw old Pryn in restless Daniel shine'; 'Earless on high, stood un-abash'd Defoe'.²³ William Prynne had been twice pilloried, with loss of ears, for his Puritan writings, and his mutilation is imagined against Defoe. Ears tend to crop up and drop off wherever this crime is mentioned. The Goddess prays for her Dunces 'may the fates preserve the ears you lend', Curll's 'mortgaged ears' were a favourite topic, Swift tells Pope his printer risks his ears, Pope tells Swift his own may be forfeit too.²⁴ Loss of ears was the brand of literate crime, and the joke was still current in 1778.²⁵

Yet the only time in recent memory that the punishment had been carried to its full extremity was in 1731, when Japhet Crook lost his ears: for forgery. Pope drew attention to that event, and to the possibility of the

²²A *Full and Circumstantial Account of the Trial of the Reverend Doctor Dodd* (1777), p.9; and see below, Appendix Two.

²³*Dunciad*, (A) I.101, II.139; *TE*, V, 71, 117.

²⁴*The Dunciad* (A), III.212, *TE*, V, 175; Straus, *Curll*, pp.17, 75, 98, 138; Swift to Pope, 29 September 1725, and Pope to Swift, 15 October 1725, *Correspondence of Pope*, II, 325, III, 333. See also Edward Young, *Two Epistles to Mr. Pope*, Epistle I, ll.15-16, in *Poetical Works of Edward Young*, edited by J. Mitford, 2 vols (1866), II, 307.

²⁵See Fanny Burney, *Evelina*, edited by A. Bloom (1968), p.402.

same outcome for Peter Walter. The implications for some of Pope's writings were not lost:

I have heard Friends as well as Foes say, it was a shameful thing, 'twas villainous; that the Author deserved the Pillory: That to forge a Note under Dr. BENTLEY's Hand, and then set his Name to it, was of the same nature with Sir P. STRANGER's Crime, and ought to be expiated by the loss of Ears.²⁶

Bentley's nephew is complaining about the spoof Variorum notes, but puns quite explicitly on the note of hand or monetary obligation. Another Dunce noticed Pope's obsession with ^{the} subject:

since Forgery has been made Felony by Act of Parliament, and Gentlemen of more elegant Tastes have monopolized the Pillory, our Author has reflected so much upon the Use of Ears, and takes such an Antipathy to the Pillory, that he has never been able to get these Things out of his Head.²⁷

Pope was said to have forged a libel in the name of Lady Mary Wortley Montagu 'that he may be exempt from the Fear of a very low Punishment, but to which his Ears seem to be legally entitled'.²⁸

Swift mentioned to Pope his own antagonism to Curll and a possible remedy: 'I had a long design ^{up}on the ears of that Curl, when I was in credit, but the rogue would never

²⁶Thomas Bentley, *A Letter to Mr. Pope, occasioned by Sober Advice from Horace* (1735), p.15.

²⁷*The Poet finish'd in Prose* (1735), p.46.

²⁸*Pope Alexander's Supremacy*, p.13.

allow me a fair stroke at them, though my penknife was ready and sharp'.²⁹ It is hard to say if this indicates moves to get legislative help against this type of forgery, an actual prosecution, a direct assault, or the pillory of literature - 'my penknife'. The metaphors are implicit. Pope too is keen to bring literary and criminal currents close enough for the reader to see them spark. In annotating the line on John Ward in *The Dunciad*, Pope summarizes Ned Ward's defence of the forger, including the accusation that Pope in his satire is guilty of 'committing a *Crime* for which the *Law* is deficient not to punish him', and concludes:

But it is evident this verse cou'd not be meant of him; it being notorious that no *Eggs* were thrown at that Gentleman: Perhaps therefore it might be intended of Mr. *Edward Ward* the Poet.³⁰

It was very obliging of Ward and Curll, two pilloried writers, to line up in the defence of a pilloried forger. Pope's egg-throwing, punitive satire could pillory Crook ('And must no Egg in *Japhet's* Face be thrown, /Because the Deed he forg'd was not my own?'), or Ward (either one), or Curll, or Defoe. Forgery and its punishments formed a useful nexus and motive for the prosecution.

Pope probably didn't know that in 1733 the Abbé Prevost was committed by De Veil for forgery, to be released a few

²⁹To Pope, 30 August 1716; *Correspondence of Pope*, I, 359.

³⁰*Dunciad* (A), III, 26 and note; *TE*, V, 152.

days later on the reluctance of the victim to prosecute.³¹ Two Grub Street counterfeiters were condemned in October of the same year: Pope's friend Alderman Barber saw the case.³² But he certainly made use of another case of this year: the disputed will of the Deist writer Matthew Tindal, allegedly fabricated by the hack and lawyer, Eustace Budgell.

b: Budgell: Writing

Some numbers of *The Spectator* are signed with a mysterious 'X'. These papers, together with a translation of Theophrastus and the epilogue to Ambrose Phillips's *The Distrest Mother*, made such literary reputation as Eustace Budgell possessed. But in each case it was held that the talent needed help: 'For me, I think (in spite of Blunders) /You may, with Addison, do wonders', wrote Pope.³³ He told Spence how Addison had revised Budgell's pieces, and Johnson declared flatly that Addison 'wrote Budgell's papers in the Spectator, at least mended them so much, that he made them almost his own'.³⁴ Budgell told Jacob he was 'a Relation of the late Mr. Addison, who has

³¹See Radzinowicz, *History of English Criminal Law*, I, 454.

³²Rogers, *Grub Street*, p.415.

³³*To Eustace Budgell, Esq.*, ll.19-20; *TE*, VI, 123-124.

³⁴See Spence, *Observations*, I, 157; Boswell, *Life of Johnson*, III, 46. See also his life of Addison, *Lives of the English Poets*, II, 79-158, at p.95, and Warton, *Essay on the Writings and Genius of Pope*, II, 240.

^{had} /conferr'd on him several considerable publick Employments in the Kingdom of Ireland'; the relationship (Addison's uncle was Budgell's grandfather) and assistance were both a claim to fame and a thorn in the flesh, for as an enemy remarked, 'Mr. Addison and the Spectator have made you mad: near Fifty Times within these two Years have you claimed your Alliance to them in Print, and you never mention them but in a Raving Fit'.³⁵ Pope recorded several slighting remarks made by Addison against his cousin and mocked Budgell's need to bask in reflected glory in the character of Umbra; plagiarism was another feature of attacks.³⁶

Budgell's sojourn in Ireland did not impress Swift or Parnell: he was suspected of opening their letters on behalf of the authorities. Swift told Pope 'I had a letter lately from Mr Budgel, the direction a feign'd hand and inclosed to Mr. Tickel', furthering suspicion. When Budgell was dismissed, Swift said it was 'by great want of common Politicks'.³⁷ Budgell's own offensive

³⁵Giles Jacob, *The Poetical Register*, II, 289; *A Letter to Eustace Budgell Esq; Occasioned by his late Complaint to the King* (1730), p.33.

³⁶Spence, *Observations*, I, 159 (and see 162); Pope, *Umbra*; *TE*, VI, 140-141 - referring probably to Budgell rather than Carey, with whom Budgell is linked in *Sandys's Ghost* and *The Three Gentle Shepherds*, *TE*, VI, 112-113, 172; *A Letter to a Buttonian K**** (1718), p.14.

³⁷Pope to Parnell, 7 April 1715, Swift to Gay, 8 January 1723, Swift to Pope, 15 January 1731; *Correspondence of Pope*, I, 292, II, 154, III, 162-163; and see Budgell to the Earl of Sunderland, 19 May 1715, *Correspondence of Swift*, V, 231.

accounts of the incident bear this judgement out.³⁸ He began to accuse his enemies (Webster, his replacement, and the officers of the South Sea Company) of trying to murder him.³⁹ Later he 'had the impudence to assert in print that Sir Robert Walpole designed to have ~~him~~ murdered', and he also had the impudence to write to Walpole to remind him 'as you well know a certain great man attempted to do it some years since'.⁴⁰ By 1730 his persecution mania had reached Shelleyan proportions - midnight raids, picklocks, swordsmen, Walpole's spies everywhere. Burlesque further publicized the mania.⁴¹

Budgell's derangement was a staple retort to his complaints, and it had criminal overtones as well: 'In Durance, Exile, Bedlam, or the Mint, /Like Lee or Budgell, I will Rhyme and Print'.⁴² Madness and crime were linked by the format of incarceration, and Pope's couplet is nicely ambiguous: Lee in one prison, Budgell in another (though it was in the Fleet rather than the Mint that

³⁸See *A Letter to the Lord ***, second edition (1718) and *A Letter from a West-Country Freeholder To the Right Hon. Mr. Secretary Web-r*, second edition (1719). Some details of Budgell's career can be found in Peter Smithers, *The Life of Joseph Addison* (Oxford, 1954), pp.167, 282, 328, 381, 419.

³⁹See further *A Letter to a Friend in the Country* (1721), p.4.

⁴⁰See *The Diary of Viscount Percival, afterwards Earl of Egmont*, 3 vols (1920-1923), II, 407 (12 May 1737), and Budgell to Walpole, c.1728, CUL, MS Chol. 1585.

⁴¹See Budgell, *Liberty and Property*, 2 parts (1732), I, 31, 91, 153, II, 45, and *A Letter to Cleomenes King of Sparta* (1731), p.42; for response see *A Proper Reply to a Scurrilous Pamphlet* (1732) and *An Epistle to Eustace Budgell, Esq.* (1734).

⁴²Pope, *The First Satire of the Second Book of Horace Imitated*, ll.99-100; TE, IV, 15.

Budgell ended up). Budgell's litigiousness was of legendary extent at a time when litigiousness was commonplace. Like Theobald, he was a lawyer - 'I was bred to the Law', ~~had rewards as Sir Philip Yorke~~ - and another of his relations was Pope's friend, the distinguished lawyer William Fortescue.⁴³ In 1728 he declared his intention to follow the law 'with the utmost Application'.⁴⁴ Two years later it was claimed:

Mr. Budgell has within these Ten Years been involved in as many Law-Suits, Informations on the Crown Side, Civil Actions, and Suits in Equity, as any Man in England... there ~~was~~ ^{was} never ^{was} one Law-Suit in Law or Equity, which he did not protract and litigate as long as ever he could by all possible means.⁴⁵

Another writer asked 'don't all our Law Courts know you, thoroughly know you? Have you not been cast in them all?' and went on to link his suits with election bribery.⁴⁶ Pope took advantage of the situation; after summarizing his literary fame, he notes: 'but this Gentleman has since made himself much more eminent, and personally well-known to the greatest statesmen of all parties as well as to all

⁴³To Sir Philip Yorke, 18 March 1737, BL, Add. MSS. 35586 f.12-13^v, Rogers, 'Pope and the Social Scene', p.130.

⁴⁴*A Poem upon His Majesty's Late Journey to Cambridge and Newmarket*, p.8.

⁴⁵*A Letter to Eustace Budgell*, p.28.

⁴⁶*A Proper Reply to a Scurrilous Pamphlet*, p.20; see also Theophilus Cibber, *Lives of the Poets of Great Britain and Ireland*, 5 vols (1753), V, 14. On the attempt to get into parliament in 1727, with money from the Duchess of Marlborough, see Lois G. Morrison, 'Eustace Budgell and the Duchess of Marlborough', *Notes and Queries*, CCXVIII (June 1973), pp.212-213.

the Courts of Law in this nation'. Elsewhere he mocked the legal failures: 'All applaud the justice - All, but *Budgel*'.⁴⁷

Budgell denied the charge.

The Character of a *Litigious Man* is, without Dispute, one of the worst of Characters... It is certain I have had... a sufficient Number of Law-Suits to ruin any private Gentleman of a moderate Fortune; but it is^{as} certain, that they have been forced upon me, and *multiplied* in such a Manner, as I hope and believe is without a *Precedent*.⁴⁸

These troubles began in 1711 with his execution of his father's will. An eleven-year wrangle finally ended with a defeat for Budgell's attempt to deprive his sisters of their legacies.⁴⁹ By this time a lengthy property dispute concerning estates in Essex, Devon and Oxfordshire had begun; this led to Chancery cases, a trial at Chelmsford in 1727, and a suit in King's Bench, all of which Budgell lost.⁵⁰ He was apparently convicted of a libel in 1728.⁵¹ Lord Macclesfield was heard to describe him as 'the greatest rogue that ever was'.⁵²

Eventually Budgell took his case by writ of error to the House of Lords. 'Counsel appeared for the Defendant in

⁴⁷*Dunciad* (A), II, 365 and note, and *Sober Advice from Horace*, l.60; TE, V, 144, IV, 81.

⁴⁸*Letter to Cleomenes*, p.34.

⁴⁹See Morrison, 'Eustace Budgell and his Family Background', *Notes and Queries*, CCXVII (May and June 1972), pp.178-183, 209-216.

⁵⁰*Liberty and Property*, passim; *Grub-street Journal*, no.78 (1 July 1731) reprinted letters between Budgell and his antagonist, Piers (also in *GM*, I (July 1731), p.281).

⁵¹See *English Reports*, XCIV, 13, 27, 35-36.

⁵²*Diary of Egmont* I, 406 (31 October 1733).

Error; but no Counsel for the Plaintiffs attended, only the Plaintiff Budgell, who himself^{was}/heard at the Bar'; the Lords confirmed the judgement, with £100 costs.⁵³ By May 1730 Budgell was in the Fleet for a 'pretended debt'; he stayed for a year. In 1732 he successfully sued a bailiff for false arrest, acting as his own lawyer and winning damages of £5; he claimed the protection of Orrery, whose secretary he was.⁵⁴ He prosecuted his old opponents for burglary and false imprisonment, winning damages of one farthing. His servant, conversely, was sued for a trespass.⁵⁵

The cases were laid bare in Budgell's writings with an abject and voluminous sensationalism. His literary testimony was disputed: 'What are his *Vouchers*? Where are his *Evidences*? How shall we *confront* or *cross examine* them?'.⁵⁶ But Budgell's persistence ('Thrice Budgel aim'd to speak, but thrice supprest')⁵⁷ took him to the very top. Budgell tried to 'feast' the King on his progress

⁵³*Lords Journal*, XXIII, 268 (16 May 1728). The petitions (*Robert Pazey and Eustace Budgell Esq; Plaintiffs. Nicholas Hollis Gent. Lessee of William Piers, Clerk. Defendant*) are in BL, L.3.a.1.(vol. 4) (150).

⁵⁴See *GM*, II (December 1732), p.1123. In his *Memoirs of the Lives and Characters of the Illustrious Family of the Boyles*, third edition (1737), pp.157-194, Budgell took the Orrery side of the Phalaris question and claimed to have seen 'such Papers and Collections, all wrote with his own Hand' as convinced him Boyle was the author of the edition. Bentley was rumoured to be meditating revenge: *Grub-street Journal*, no.122 (4 May 1732).

⁵⁵All these details (put rather differently) are in *Liberty and Property*.

⁵⁶*A Letter to Eustace Budgell*, p.11.

⁵⁷*Dunciad* (A), II.365; *TE*, V, 144.

through Cambridgeshire, and wrote a poem on the subject (duly mocked by Pope); he walked into a levee and presented the King with a petition demanding the punishment of Walpole. He tried the same thing with the Queen.⁵⁸ Six weeks before he died he wrote to Sir Philip Yorke (then Lord Chancellor) offering to expose 'a most Corrupt Wicked and infamous Practice among the Officers of your Lordship's Court'; no details were given, but it struck 'at the very ~~foundation~~ of Justice' and Budgell would stand examination in open court or before parliament.⁵⁹ His letter of remonstrance to Walpole is similarly lacking in detail but offers to explain his case before parliament.

Budgell's life became increasingly defined by the courts, and his writing turned into a by-product of his legal troubles. Even his political opposition was confessedly derived from this source. He reprinted or cited his earlier writings in his own support, inserting them into a legal context; he reprinted his speeches, his 'Cases', affidavits, and warrants. At least four of his works were issued from prison. His periodical, *The Bee*, fell foul of changes in the stamp act and was in Budgell's eyes 'suppressed', a punishment which he blazoned on the

⁵⁸See Pope, *First Satire of the Second Book of Horace*, ll. 27-28, *TE*, IV, 7; *Diary of Egmont I*, 96 (22 April 1730); *A Letter to Eustace Budgell, Esq*; *A Letter to the Craftsman from Eustace Budgell Esq.*, sixth edition (1730).

⁵⁹Letters dated 18 and 19 March 1737, BL, Add. MSS. 35586, ff.12-14.

title page as a badge of pride.⁶⁰ His political libels brought wrath upon his ears: 'Providence hath happily indemnified your Ears by abolishing the Court of Star-Chamber', wrote one. Another abused him for 'forging stories' and 'falsifying history' and masking the crimes under the authority of *The Craftsman*: 'in their Names you disperse your Rancour, you emit your Poison, and Make THEM speak the vile Aspersions YOU ought to lose your Ears for'.⁶¹

Budgell was also accused of remaining in prison to avoid prosecution. He denied that he was safe there: 'I believe that if a poor Man and Prisoner should Counterfeit a Bank-Bill, his Poverty and Misfortune would hardly steer him clear of the Gallows'.⁶² In his letter to Walpole he fantasized that 'some Mask of legal Proceedings' would take away his life; he was ready to meet 'a publick Execution with a good Grace' and would fall like an Englishman, to the pity of other sufferers. Late in 1733 it began to look as if the prophecy would be fulfilled.

c: Budgell: Forgery

⁶⁰See *The Bee*, no. XIII (26 May-2 June 1733); Davis, *Factual Fictions*, p. 98; Goldgar, *Walpole and the Wits*, pp.118, 128, 144, 153.

⁶¹See *A Letter to Eustace Budgell*, p.14; *A Proper Reply to a Scurrilous Pamphlet*, pp.52-53; *Liberty and Property*, I, 61, II, xx, 79; and *A Letter to Cleomenes*, pp.109, 114-115, 157, 237-238, 254.

⁶²*A Letter to the Author of a Letter to Eustace Budgell, Esq.*, second edition (1730), p.18.

According to John Butt, 'that Budgell forged Tindal's will is almost certain from the circumstantial evidence provided by a pamphlet entitled *A Copy of the Will of Dr. Matthew Tindal, With An Account of what pass'd concerning the Same, between Mrs. Lucy Price, Eustace Budgell Esq; and Mr. Nicholas Tindal*'.⁶³ This is however not the only source for the incident. There is the will itself, the probate copy and a registered copy, with some litigation.⁶⁴ There is Curll's version of the will, his *Memoirs of Tindal*, letters from him, Nicholas Tindal and Lucy Price to government officials, and a letter describing Tindal's death.⁶⁵ There are at least two other pamphlets against Budgell, as well as the campaign in *The Grub-street Journal*; to these Budgell replied in *The Bee*.⁶⁶

From these a more balanced narrative can be constructed. In 1733 Tindal left his rooms at All Souls and took lodgings with Margaret Leigh in Cold-Bath Fields. During his final illness (gallstones) Budgell and Lucy Price,

⁶³TE, IV, 124. The pamphlet is dated 1733.

⁶⁴The original will is in the Public Record Office: PROB 10/1794; probate copy, PROB 11/660 f.231; registered copy, PROB 31/122/713. The litigation is in PROB 29/125 and 126.

⁶⁵*A True Copy of the Last Will and Testament of that Famous Free-Thinker Matthew Tindal, LL.D.* (1733); *Memoirs of the Life and Writings of Matthew Tindal, LL.D.* (1733); Lucy Price to Walpole, 4 September 1733, CUL, MS Chol. 2034 and enclosure; Sir Charles Wager to Walpole, 7 September 1733, and enclosure, Chol. 2040; Curll to Walpole, 22 September 1733, Chol. 2046; Pierce Dod to George Clarke, 8 September 1733, BL, MS Add. Egerton 2618, f.229-230.

⁶⁶See the ironic *A Vindication of Eustace Budgell, Esq; (1733)* and *An Epistle to Eustace Budgell, Esq; Occasioned by the Death of the late Dr. Tindal* (1733).

widow of the judge, Robert Price, and a well-known 'petticoat lawyer'⁶⁷ attended him. In the letter from the physician Pierce Dod, Tindal is said to have maintained his free-thinking principles in the face of extreme pain, dying 'hard, like any of Guthry's Auditory' - Guthrie being Ordinary of Newgate. Just before he died, however, 'he sent for Eustace Budgell' to make some last minute alterations to his manuscripts.

On the day of his death (16 August), Lucy Price wrote to Nicholas Tindal, his nephew, to discuss the will. This was produced with much ceremony. Minor bequests apart, the will specified a legacy of £2100 for Budgell, 'that his great Talents may serve his Country', along with the Doctor's strong box, papers, and library. The will named Budgell and Tindal (who was also residuary legatee) as executors, and was witnessed by the landlady and Budgell's footman. Nicholas Tindal voiced suspicion as to the manner of his uncle's death, the witnesses to the will, and Budgell's execution of the legacies before probate. The will itself was 'contrary to... his real Will witness'd by Gentlemen who are ready to attest it', it contained the 'strange expression concerning Mr. Budgell' (which he printed in capitals; Curll used italics); and it was 'writ all over with Mrs. Price's own Hand'. There was

⁶⁷See Clarence Tracy, *The Artificial Bastard: A Biography of Richard Savage* (Toronto, 1953), p.38; Curll, *The Life of the Late Honourable Robert Price, Esq* (1734); W. R. Chetwood, *The British Theatre* (Dublin, 1750), p.164.

also a curious stutter in the phrase 'any to do with', noted by Curll and the probate clerk as well as Tindal.⁶⁸ Perusal of the will indicates that the omission occurs between lines, but it remained a dark omission.⁶⁹

Tindal's strongbox contained only about £60 in oddments. On 16 August Nicholas Tindal saw his uncle's bankers, who told him that only £100 of bank stock remained. £1800 of South Sea stock were traced to two loans to Budgell; a bond for £1000 of this survived. The Doctor had lent Budgell a further £200, making £2000 in all. Budgell agreed to knock £1000 off the £2100 in the legacy, but denied knowledge of the missing £1000. After an argument Budgell surrendered the Doctor's remaining assets.

On 25 August the two men went to Doctors Commons to prove the will. Budgell was granted administration, 'the other Executor named in the said Will first renouncing the Execution thereof'.⁷⁰ Early next month it was found that Tindal had died the day before an instalment of an unofficial government pension had been due. On 4 September Lucy Price wrote to Walpole to deliver an appeal from the dead man:

Sr, I thank you for all favours; if I dye I hope you will pay my Executors what I should have had; I can't live: Take the advice of a dying friend: Be reconciled to Mr. Budgell if possible...

⁶⁸*A Copy of the Will*, p.8; *A True Copy of the Last Will*, p.8; PROB 31/122/713.

⁶⁹See Appendix Three.

⁷⁰PROB 11/660 f.231.

PS Credit Mrs. Price who has promised to give you this letter. August ye 11th /1733.⁷¹

Nephew Tindal wrote to Sir Charles Wager on 5 September hoping Walpole had been acquainted with 'the Trick Budgel has serv'd me' and inquiring whether the £200 pension could be recovered.

As for Budgel he has no manner of pretense to it, and should he offer to say any thing, I can immediately stop his mouth, by exposing the villainy he was guilty of, in destroying a Bond, in order to receive a thousand Pound more that even his forged will gave him, which... if 'tis thought proper, shall be discover'd to the whole world...

On the 7th, Wager sent this to Walpole. He explained to Tindal that he had no right to the money either, but kept him informed about the 'pretended letter' handed in by Lucy Price.⁷² Sir Charles desired that this letter be preserved, perhaps as evidence: again there is a 'strange expression' concerning Budgell, but moreover it takes no great palaeographical effort to see that Lucy Price's covering letter, the letter from Tindal, and the will, are written in closely similar hands.⁷³ At any rate, Walpole told Egmont he had no intention of paying Budgell, but had promised the money to Tindal.⁷⁴

⁷¹CUL, MS Chol. 2034 and enclosure.

⁷²CUL, MS Chol. 2040; the letter from Nicholas Tindal is enclosed.

⁷³See Appendix Three.

⁷⁴*Diary of Egmont*, I, 409 (2 November 1733).

Budgell had given an untroubled account of Tindal's death and will in *The Bee*, no.XXV (11-18 August). On the 29th of August he forwarded a list of Tindal's anonymous writings to Lucy Price, for use in Curll's *Memoirs*. Curll, whose edition of the *Will* was advertised by the end of the month,⁷⁵ was also in touch with Tindal's nephew, who replied cautiously to the overture on 8 September. Curll's fairly innocuous *Memoirs* are dedicated to Lucy Price and dated 10 September. On the 20th Curll advertised the *Memoirs* and the *Will* in *The Daily Journal*, printing the letters mentioned in this paragraph and challenging Budgell concerning the 'cheat'. Budgell was beginning to complain about seizure of manuscripts, law-suits and imprisonment - all down to the Great Man.⁷⁶ On 22 September Curll wrote to Walpole 'I have likewise the Pleasure of turning up that noted Hockley in the Hole-Squire, Eustace Budgell to the Town for an arrant Sharper', giving a resumé of the case and concluding 'of this Sr. the Town will shortly hear more'.⁷⁷ Nicholas Tindal published his *Copy of the Will* around the beginning of October, so perhaps the correspondence had become collaboration.⁷⁸ At any rate, in *The Bee*, no.XXXII (29 September-6 October) Budgell resumed the crusade in his

⁷⁵*Daily Journal*, 31 August.

⁷⁶*Bee*, no. XXIX, 8-15 September.

⁷⁷CUL, MS Chol. 2046.

⁷⁸Tindal's book was advertised in *The London Evening Post*, 2 October 1733.

own defence, denouncing Curll's *Memoirs* as an 'imposture' and warning 'infamous Machines are employed to set aside Dr. Tindall's WILL, and to suppress, if possible, the Publication of his WORKS'. In the next number (6-13 October) the accusation of forgery is a common rumour put about by Curll 'who best understands the Art of imposing upon and cheating both private Persons and the Publick'. The letters published by Curll were forgeries, he ought to^{be} pilloried once more; his perjury might take away Budgell's life.

On 23 October *The Grub-street Journal* entered the fray with a woodcut depicting Budgell, Curll and others making a wig for Tindal 'in an artificial manner, as... a Will is not made of the person's own head, under whose name it passes'.⁷⁹ In *The Bee*, no. XXXVII (3-10 November), Budgell printed his most extensive and impassioned defence, giving his version of the narrative in the 'late stupid Pamphlet' given away at ministerial expense. He offered to stand trial and called Curll 'thou Forger of Mens Works' and 'Thou Scandal to the ROD and PILLORY!'. Evidence in the Doctor's own hand could be produced which would vindicate Budgell completely. The *Journal* mocked these protestations and hinted that Budgell had helped the

⁷⁹See the 'key' to this in the *Journal* of 1 November. Tindal's politics and religion had been mocked in issues 191 and 192 (23 and 30 August); Curll's *Memoirs* and Budgell's reaction were treated as a joke in no. 199 (18 October).

Doctor on his way.⁸⁰ But after summarizing Budgell against Tindal and printing the will (no.206, 6 December) the attacks became steadily more serious. A point-by-point scrutinization of Budgell's story began on 20 December; Tindal's pamphlet was effectively serialized.⁸¹ Budgell's witnesses and the Doctor's letters were ridiculed, discrepancies in chronology exposed, figures from the will and from Budgell were totted up to reveal gaps. Variants in the spelling of Tindal's name were seen as evidence; if the variant were, as Budgell declared, common knowledge, 'an ingenious person would very probably have followed it in forging a Will... that even from thence an argument might be drawn... for the genuineness of it'. Budgell's misquotations from the *Journal* are pointed out.⁸²

For his part, Budgell printed many puffs on himself and Tindal, and pushed schemes for a commemorative medal. He disputed the *Journal's* calculations, offered to produce manuscripts to prove the Doctor's intentions and gallstones to prove the manner of his death. He conceived

⁸⁰Nos. 205, 207 (22 November and 13 December).

⁸¹Nos. 210, 211, 212, 217, 219, 220, 223 (3, 10, 17 January 1733; 21 February; 7, 14 March; 4 April 1734).

⁸²The spelling in question is Tindall/Tindal, not observed with absolute accuracy in the printed versions of the will or even in the court copies. See *Grub-street Journal*, nos. 206, 208, 219 (6, 20 December 1733 and 7 March 1734).

that Pope, who owed him so much, was writing satires against him.⁸³ The *Journal* spelled names incorrectly, and

basely, wickedly, and knowingly, laid before the Publick, a false Copy of Doctor Tindall's Will... who do you imagine every Man in England would think most capable of forging a Will, either you, or Mr. Budgell?⁸⁴

Budgell had promised an edition of Tindal's posthumous works, styling himself 'a Gentleman... whose Knowledge in every Branch of Learning qualifies him for the Discharge of so important a Trust'; Curll's promised edition was spurious.⁸⁵ The *Journal* would have none of it: 'had any writer or first editor of any of the New Testament lain under a suspicion... of having forged a will... I should have very little regard for that writer, or editor'.⁸⁶

In this manner a literary prosecution was affected, the two periodicals using quite openly criminal charges. In *The Bee*, no.LV (9-16 March 1734) Budgell acquainted his public that a dark design 'under the Name of a Poor Woman' could be about to deprive him of his legacies; 'whenever

⁸³See *The Bee*, nos. XL-XLVIII, XLVIII, LIII, LIV (24 November-1 December, 1-8, 8-15, 15-22 December 1733; 19-26 January, 16-23 February, 23 February-2 March, 2-9 March 1734).

⁸⁴*The Bee*, no.LII (16-23 February 1734); compare nos.XLI, LIII (1-8 December 1733, 23 February-2 March 1734).

⁸⁵*The Bee*, nos. XXV, XXXII (11-18 August, 29 September-6 October 1733).

⁸⁶No. 203 (15 November 1733). On the fate of Tindal's manuscripts see David Berman and Stephen Lawlor, 'The Suppression of *Christianity as old as the Creation Volume II*', *Notes and Queries*, CCXXIX (1984), pp.3-6. Dod was assured by Tindal that Budgell would 'do justice to them and to mankind'; for contemporary censure see *Diary of Egmont*, II, 406-407, and Cibber, *Lives of the Poets*, V, 12.

this Tryal comes on, we will give the Publick Notice of it'. By this time there had been seven hearings in the case of *Pare v. Budgell*, mostly submissions of inventories and other documents. Budgell gave a speech against the 'vexatious suit' on one occasion. The hearings occur between November 1733 and February 1734, and then appear to cease inconclusively; *The Grub-street Journal*, no.219 (7 March 1734) declared the whole business would conclude very soon.⁸⁷ I have found nothing further in P.C.C. records and nothing to suggest that the case was transferred to Chancery. Perhaps study of the inventory caused the lawyers to throw in the towel: even counting £900 on his own bond, the £200 pension, the £100 Bank Stock (valued at '£146 or thereabouts, as this exhibitor believes') and all the household goods which he had already ceded to Tindal, the total assets only reach £1364, most of which was irrecoverable. Though 'the stain, /Of testamental ink' was still of use to pamphleteers ('what his Morals are appear plainly from the late Enquiry into the Validity of Dr T-----l's Will')⁸⁸ it disappeared from the legal record.

On 4 May 1737 Budgell filled his pockets with stones, took a boat from Dorset steps and jumped out near London

⁸⁷See PROB 29/125, pp.392, 430, 477 and 29/126, pp.66, 77, 137. The will-cover was brought in by Budgell on 10 December 1733 and the inventory of Tindal's goods on 7 January 1734: PROB 31/123/779 and 31/124/9. Anne Parre or Pare was Tindal's sister.

⁸⁸*Grub-street Journal*, no.220 (14 March 1734); *The Remonstrance* (1734), pp.13-14.

Bridge. As soon as the inquest ('the Coroner's Jury brought him in Lunatick') was over, speculation began. 'Tis said, he expected an Execution to enter the House the next Day; and that he had a Cause to come on at Westminster-Hall, which gave him great Uneasiness'; 'This Cause... we hear, related to the late Dr. Tindal's Will'.⁸⁹ Egmont declared 'the occasion of his voluntary death was Dr. Tyndall the clergyman's prosecution of him at law for forging the late Dr. Tyndall's will... to which roguery the witnesses were so strong that Budgell could not but have been convicted'; this was the version Boswell put to Johnson in 1773.⁹⁰ This would have fitted a certain contemporary pattern. In May 1732 Edmund Cheeseborough, convicted of forging a promissory note for £50, hanged himself from the cell grating with a piece of packthread; Charles Price, the banknote forger, took the same way out. Paul Wells, who acted as guardian to Budgell's daughter, was hanged at Oxford in 1749 for altering the date on a note of £47, and was said to have tried suicide; the engraver, Ryland, tried to cut his throat, and Mrs. Rudd

⁸⁹See *The General Evening Post*, 12-14 May, 1737; *GM*, VII (May 1737), p.315; *Grub-street Journal*, no. 386 (19 May 1737).

⁹⁰*Diary of Egmont*, II, 406-407; Boswell, *Journal of a Tour to the Hebrides*, p.35. Johnson used to date his arrival in London from 'the Catastrophe of Eustace Budgell'; Percy to Boswell, 6 March 1787; *Correspondence with Certain Members of the Club*, p.248.

hinted at suicide.⁹¹ Budgell certainly had a cause in Chancery - the case went on without him, his petition to cross-examine the witnesses *viva voce* being denied on the 5th of May - and his writing to Yorke about Chancery frauds on 18 March indicates the subject was on his mind. He was protesting that his opponent (one Graves) had presented forged receipts.⁹² But there is no sign of any forgery indictment, so perhaps an appropriate scandal was merely resurrected.

We shall never know if the will is a forgery. The document was apparently written out by Lucy Price, but the signature may be Tindal's - it is not dissimilar to other exemplars.⁹³ The signature on the letter to Walpole looks as if it has been drawn, and some letters have been written twice; it also reads 'Matt' instead of the 'Mat' of the will and other manuscripts. But Tindal's death was hardly a comfortable one. The letter from Pierce Dod supports Budgell's account quite adequately.⁹⁴ There are discrepancies in Budgell's story, but his view of the

⁹¹On Cheeseborough see *Select Trials at the Sessions-house in the Old Bailey*, 4 vols (1742), III, 360; on Price, *The Life of that Extraordinary Character, Mr. Charles Price* (1786), pp.65-66; on Wells, *An Account of the Life of Paul Wells, Gent.* (1749) and Morrison, 'Eustace Budgell and his Family Background'; on Ryland, *Authentic Memoirs of William Wynne Ryland* (1784); on Rudd, *Boswell: The Ominous Years*, p.351.

⁹²See *English Reports*, XXV, 812, XXVI, 283-284.

⁹³For instance Tindal to Locke, 10 January 1696 and 28 September 1701: Bodleian MS Locke c.20 ff.207, 209.

⁹⁴Dod's quackery was parodied in a spoof written by (among others) James Killpatrick, one of Pope's translators: see Dod's *Several Cases in Physick* (1746) and 'Dod Pierce, M.S.', *A Letter to the Real and Genuine Pierce Dod, M.D.* (1746).

ministry's involvement receives some confirmation from the letters of various parties to Walpole and the interest shown in the controversy.⁹⁵

But the issue for this study is the use of literature in a prosecution supplementary to the law. The analogies between forgery and perjury were drawn by Budgell against Curll, who also forged letters and meddled with texts; forging wills, posthumous works and the New Testament were in some sense cognate activities. We began with Pope's view of a forger who could not 'write' in the literary sense; Budgell was one who could. Towards the end of the *Epistle to Dr Arbuthnot* Pope claims to have 'Let Budgel charge low Grubstreet on his quill, /And write whate'er he pleas'd, except his Will'.⁹⁶ In a note Pope recalls that Budgel 'in a Weekly Pamphlet call'd the *Bee*, bestow'd much abuse on him, in the imagination that he writ some things about the *Last Will* of Dr. Tindal, in the *Grubstreet Journal*; a *Paper* wherein he never had the least Hand, Direction, or Supervisal, nor the least Knowledge of its author'.⁹⁷ Clippers, coiners, and weekly journalists... Here was another forgery in Pope's name, effectively prosecuted by the pincer-movement of analogy in a single couplet.

⁹⁵Egmont showed a 'long smart paragraph against Budgell' in *The Weekly Miscellany* of 18 August 1733 to Walpole; *Diary of Egmont*, I, 408-409 (2 November 1733).

⁹⁶11.378-379; *TE*, IV, 124-125.

⁹⁷For Budgell on Pope see *The Bee*, nos. XLII, XLIII, LII, LIV, LVI (8-15, 15-22 December 1733, 16-23 February, 23 February-2 March, 16-23 March 1734).

CHAPTER THREE: THE LAUDABLE ART OF FORGERY

a: 'Loss of Eden'

Amongst the crimes alleged in the scholarly disputes of the period, plagiarism emerges with forgery as a standard grievance. In discussing Shakespeare, theology, historical documents or classical texts, knowledge was property and failure to acknowledge sources brought the charge of theft. So with literature: Pope's skirmish with James Moore Smythe over some contested verses illustrates how possession had become a feature of intellectual culture.¹ In the years 1747-1751 the question of plagiarism became one of the first literary importance, threatening the standing of Britain's major epic, *Paradise Lost*. In this chapter we will take a detailed look at the criminal nature of literary theft, and see how the forgery of evidence to prove the case could be an even greater crime; we will also examine the central role of authenticity in the writings of those concerned, and the cultural assumptions involved.

In 1745 William Lauder, a teacher of Latin, declared to the grammarian and printer Thomas Ruddiman

'tis so evident, that Milton has taken not only the Plan... of his Poem... but also the substance of four or five thousand Lines, from the works of the German Jesuite, the Scots Divine, I mean Mr Ramsay, & Dr Ross's Virgilius

¹See 'Testimonies of Authors' in *The Dunciad*; TE, V, 33-34. See also *A Complete Collection of all the Verses*, pp.6-7, and *A Compleat Key to the Non-Juror* (1718), p.10.

Evangelizans, that his not acknowledging the same fairly & candidly, may well entitle him to the Character of one of the most noted Plagiaries, I believe, that ever wrote.²

This claim was put before the public in a series of articles in *The Gentleman's Magazine* running from January to August 1747.³ Though the argument begins cautiously enough with the illustration of parallel passages, Lauder headed the April attack with 'Further CHARGE against MILTON', and in June was introducing evidence 'in further prosecution of my charge against Milton'. The tone became openly hostile, and when an expanded edition of the articles was published late in 1749 as *An Essay on Milton's Use and Imitation of the Moderns*, a similarly combative stance quickly develops. Using large quotations and summaries, Lauder provides 'indisputably clear and obvious evidence' that Milton had pillaged several modern Latinists 'without any intention of making an acknowledge^dment'. Quoting the line 'Things unattempted yet in prose or rhyme' (which served as an epigraph) Lauder asks 'have not mankind, by giving too implicit a faith to this bold assertion, been deluded into a false opinion of Milton's being more an original author, than any poet^{ever} was before him?'. The evidence is continually backed up with a challenge: 'the warmest admirers of Milton, if they are

²Letter dated 5 September 1745; printed (with reply) in Douglas Duncan, *Thomas Ruddiman* (Edinburgh and London, 1965), pp. 159-165.

³January, pp.24-26; February, pp.82-85; April, p.189; June, pp.285-286; August, pp.363-366.

not determined to shut their eyes against conviction, must be satisfied, that he has copied the work before us'. After a hundred and fifty pages of such material, 'a whole cloud of witnesses, as fresh vouchers of the truth of my assertion', Lauder wound up his case against a poet whose behaviour was 'criminal to the last degree' with the conclusion that Milton was 'in honesty and open dealing... not inferior, perhaps, to the most unlicensed plagiary that ever wrote'.⁴ The early articles had prompted an attack on Lauder as 'Critic and THIEF-CATCHER'; the *Essay* did little to falsify that identification.⁵

b: 'to the fraudulent Impostor foule

In his uprightness answer thus returned'

From the first, *The Gentleman's Magazine* was bombarded with letters for and against Lauder's proposition.⁶ Three of these hit home. Henry Fricker, writing under a pseudonym, attacked Lauder's honesty in a piece which the magazine bowdlerized; as he wrote to the *British Magazine*, it 'suppress'd... all that I had suggested of *Fraud* and *Foul Play*'. Fricker demanded 'better satisfaction than

⁴Quotations from pp.27, 59, 74, 90, 115, 163.

⁵Andrew Henderson, *Furius; or a Modest Attempt towards a History of the Life and Surprising EXPLOITS of the Famous W. L. Critic and THIEF-CATCHER* (1748).

⁶On the role of the magazine in selecting which ^Prelies to publish, see Michael Marcuse, 'The Gentleman's Magazine and the Lauder/Milton Controversy', *Bulletin of Research in the Humanities*, 81 (Summer 1978), pp. 179-209.

has yet been given... that these two new discovered poems are really the works of Masenius and Grotius, and of the date that is pretended, and not rather the spurious productions of some later adventurers'.⁷ 'QUAERE in what part of Milton is the following which he quotes', asked John Bowle, reproducing two lines given by Lauder as Milton's translation of his source; the implication was that Lauder had made up the lines to fit the argument.⁸ In January 1749 Richard Richardson wrote to the magazine

I have many reasons (many I say) which induce me to think that the passage Nam me judice, &c, which Mr Lauder says is Grotius'...is foisted into the Dutch poet's tragedy. I told you I suspected it long ago, and that Mr. L. has foisted 2 lines into *Paradise Lost*... But to say no more of suspicion, I shall now proceed to proof.⁹

The proof was the presence of two passages supposedly quoted from Masenius and Staphorstius in a Latin translation of *Paradise Lost*; the evidence began to swing the other way.

Bowle, meanwhile, had checked some of Lauder's examples and found that crucial quotations were missing. In January 1750 he was advertising a 'Critical Examination' of Lauder's *Essay*, in which 'that Caviller's numerous, false Assertions, Misconstructions of Facts, and his gross

⁷See *GM*, XVII (September 1747), pp.423-424; *British Magazine*, II (November 1747), p.490.

⁸See *GM*, XVII (February 1747), p.82 and XVIII (February 1748), p.68.

⁹Not printed until December 1750 (XX, 536).

Forgeries, will be detected and exposed to the World'.¹⁰ In the event Bowle communicated his discoveries to Roger Watkins, who in turn passed the evidence on to John Douglas, a clergyman and tutor to the Marquis of Bath's son. On 1 November 1750 Watkins told Bowle that Chesterfield had encouraged the design, and that Thomas Newton, whose edition of *Paradise Lost* (1749) had incorporated some of Lauder's 'sources', was helping with the exposure. Watkins and Bowle acted as agents at the Bodleian, checking evidence, and Watkins offered a copy of the Latin *Paradise Lost* to be exhibited at the publisher's shop.¹¹ Thomas Birch kept Sir Philip Yorke (now Lord Hardwicke) informed of their progress.¹²

Bowle's indignation increased when Lauder tried to call their bluff:

as to Lauders. defiance of us to make good what is charged against him I can look on it in no other light, than that of a criminal, who tho conscious to himself of his own Guilt, obstinately persists in his innocence, when he is open to conviction from the best & most impartial evidence.¹³

¹⁰*The General Evening Post*, 25 January 1750. For the course of the 'detection' see Marcuse, '"The Scourge of Impostors, the Terror of Quacks": John Douglas and the Exposé of William Lauder', *Huntington Library Quarterly*, 42 (1979), pp.231-261.

¹¹Watkins to Douglas, 26 October, 30 September 1750, BL Add. Egerton MS 2185, ff.13-14, 11; Watkins to Bowle, 1 November 1750, transcribed into the latter's volume of Lauder's *Essay* and other pieces, BL, 79.d.22.

¹²Birch to Hardwicke, 3 and 17 November 1750; BL Add. MSS. 35397, ff.315v, 320.

¹³Bowle to Douglas, 22 November 1750, BL Add. Egerton MS 2185, f.21.

One of the few who did not relish the forthcoming publication was the dedicatee of the book, the Marquis of Bath, who suggested

before you resolve to print, should you not advise with Doctor Newton, & some other friends, to know if the Fellow be worth your notice? No Honour is to be obtained by contending with a mean contemptible Antagonist, and I am very apt to think, He must be a wondrous silly Puppy...¹⁴

But Douglas had no intention of letting it drop. Birch tells Hardwicke 'he says that Lauder pleads guilty; but that he is resolv'd to expose the Impostor in a manner, that he shall never be able to shew his face again to Mankind'.¹⁵ He had earlier written that 'Lauder, in his Attack upon Milton for Theft, will have the Charge of Imposture soon fix'd ^{up} on himself'.¹⁶ Douglas chose a title which reflected this palendromic turn of events: *Milton vindicated from the CHARGE of PLAGIARISM, Brought against him by Mr. LAUDER, AND LAUDER himself convicted of several FORGERIES and gross IMPOSITIONS on the Public* (1750). At the end it bore the image of Justice with scales in one hand and a sword in the other.

The image is well chosen. Briefly recounting his initial interest in the argument, Douglas tells 'your Lordship' (Bath) how as a matter of course he trusted

¹⁴To Douglas, 28 October 1750, BL Egerton MS. 2182, f.14.

¹⁵Letter dated 17 November 1750, BL Add. MSS. 35397, f.320.

¹⁶To Hardwicke, 3 November 1750, BL Add. MSS. 35397 f.315v.

Lauder's evidence, even though it seemed not to prove the case.

Will it not, therefore, be thought extremely strange, will it not excite the utmost Indignation in every ^{candid} Person's Breast, if the Reverse of this shall appear to be the Case - if it shall appear that our conscientious Critic, whose Notions of Morality taught him to accuse *Milton* of want of *common Probity or Honor*...has, in order to be able to make good his Charge... had Recourse to *Forgeries* - Forgeries perhaps the grossest that were ever obtruded on the World?¹⁷

Douglas follows this rhetorical thrust, replete with anaphora and deft crescendo, with a series of examples, showing that lines quoted as from Staphorstius are not in the edition Lauder cites; and so it is 'impossible, therefore, for him to clear himself from this Charge which I now bring against him - *Of having corrupted the Text of STAPHORSTIU. by interpolating Eight Lines not to be found there*'. Hard on the heels of this dramatic moment, the rabbit is drawn from the hat and the eight lines in question are discovered in the Latin *Paradise Lost*.¹⁸

The rhetoric is functional. The combined energies of Bowle and the rest had not been able to recover the two major texts quoted by Lauder. It was necessary to blacken them *in absentia*:

And now, my Lord, is not this single Instance of Forgery, so extraordinary in all its Circumstances, and so

¹⁷*Milton vindicated*, pp.26-27.

¹⁸*Milton vindicated*, pp.33-35.

unexceptionably proved, enough to blast our Critic's Credit in all his other Quotations? - It certainly is. However let us follow him in one or two more, and we shall have accumulated Proofs of his *impudent Forgeries*.¹⁹

'The Catalogue of Lauder's Forgeries', to the minor extent that Bowle had unearthed them, were worked through and exposed with a good deal of righteous sarcasm against 'the honest Employment of Forgery'. At one point a Swiftian model is invoked: Lauder is said to have adopted 'Peter's Method of interpreting his Father's Will'. Elsewhere his bad Latin shows that he 'has not *forged* here with necessary Precaution'.²⁰ Douglas has to make the worst of it. The phantom quotation from Milton crowns the case.

After having assigned so many extraordinary Instances of *Forgery*, your Lordship wou'd scarce imagine that there can be an Instance more extraordinary than all the rest... And yet that there is...the World will readily grant when I assert that not contented with having *forged* Lines for Staphorstius, Fox, Taubmannus, Fletcher &c. our enterprizing Critic has *forged* Lines for Milton himself, and interpolates into the *Paradise Lost* a Passage not there to be found.²¹

In the absence of copies of Masenius and Grotius, the two chief victims of Milton's raids, the evidence at hand has to be aggravated to stand for the evidence not at hand. The whole rhetorical pose, the plaintiff's grievance offered deferentially to 'my Lord', the typographically-

¹⁹*Milton vindicated*, p.36.

²⁰*Milton vindicated*, pp.51-59.

²¹*Milton vindicated*, pp.59-60.

emphasized courtroom diction, all serve to establish the forgery of most of the texts in the forgery of some of them.

If Milton really did borrow so much from Masenius and Grotius, why should he have Recourse to Forgeries, to prove that he borrowed from Staphorstius, Taubmannus, Fletcher, Fox, and Heywood? ... I can compare his Conduct to nothing else but⁶ that of a Man, who, tho' he had it in his Power to produce authentic *Deeds* to prove his Title to an Estate, should rather chuse to rest the Merits of his Cause on *forged ones*.²²

After this climax, all that remains is to pun on the criminal's name ('the laudable Art of FORGERY') and mock-defend him by suggesting that he is a victim of his correspondents, the forging Jesuits.

c: 'to dwell in Adamantine chains /And penal fire'

Lauder was now outlawed. On 28 November 1750, his booksellers put an advertisement in *The London Evening Gazette* giving their narrative of events. Lauder had 'this Day admitted the Charge, but with great Insensibility. We therefore disclaim all Connection with him, and shall for the future sell his Book only as a Masterpiece of Fraud' which, they went on to note, 'the Public may be supplied with at 1s. 6d. stitched'. A *New Preface by the Booksellers* soon supplemented their

²²*Milton vindicated*, pp.73-74.

exposure of 'this scene of villainy'. Meanwhile Thomas Newton, who had included some more examples from Lauder in a new edition of his variorum *Paradise Lost*, added a last-minute postscript (dated 5 December) vindicating himself from any intentional involvement. Newton had been approached by Lauder and his support, along with that of Birch and Johnson, had been quoted.²³ His narrative has some similarities with Douglas's *Milton vindicated* - 'but what now ^{if} he should be found to have suborned false evidence, and instead of convicting Milton of *plagiarism*, to have fixed an eternal brand of *forgery* upon himself?' - but it also stresses Newton's own (entirely correct) position.

Mr. Lauder... has been with me to plead guilty to the charge... and to beg pardon of me and ^{of} the public. And in the sorrow and sincerity of his heart, he has made some farther confessions to me.

Under diligent questioning ('I inquired particularly... I expressed my suspicions likewise... I questioned whether...') the forger comes clean ('he acknowledged... he confessed... he owned honestly...'). There is no doubt of the seriousness of the offence: 'tho' there have been frequent forgeries in the literary world, yet such as these I believe not only were never practised before, but were never attempted'. But the proper course

²³ Essay, pp.93-94.

is being followed: 'I forbear to aggravate matters. I would not inflame the reader's indignation. The man has already been sufficiently exposed...'.²⁴

For Douglas meanwhile there were handshakes all round; personal letters and critical reviews all paid tribute, and Lauder's villainy was the subject of many poems. John Bowle's view of Lauder - 'Tremble thou wretch /That hast within thee undivulged crimes /Unwhipt of Justice' - is matched by a public attitude which deemed compassion 'out of the case here'.²⁵ Two of Johnson's friends discussed the matter: Catherine Talbot wrote to Elizabeth Carter to ask 'do you not rejoice in the public infamy of that villainous forger Lauder?', repeating the final phrase in a later letter.²⁶

Mrs Carter's reply (at the second prompting) was a somewhat absent 'Lauder's affair is really very astonishing; surely the man must be out of his wits. I am sorry Mr. Johnson should have incurred any censure about

²⁴*Paradise Lost: A Poem in Twelve Books*, edited by Thomas Newton, second edition, 2 vols (1750), II, 449-456. For another vigorous dissociation see George Chalmers, *The Life of Thomas Ruddiman* (Edinburgh, 1794), p.151.

²⁵See Marcuse, 'The Scourge of Impostors', pp.241-2, and the review of Douglas in *The Scots Magazine*, XIII (February 1751) pp.75-78. See also *The Monthly Review*, III (December 1750), p.106; Mr Drake to Douglas, 29 November 1750, and Bowle to Douglas, 6 December 1750, BL Add. Egerton MS. 2185, ff.25, 27; *Pandemonium; or a New Infernal Expedition* (1750); *The Progress of Envy* (1751); and Nichols, *Literary Anecdotes*, VIII, 519-520.

²⁶Letters dated 17 December 1750 and 19 January 1751; printed in *A Series of Letters between Mrs. Elizabeth Carter and Miss Catherine Talbot, from the Year 1741 to 1770*, edited by Montague Pennington, 2 vols (1808), I, 245, 248.

this wretched business'.²⁷ Not everyone could work up righteous enthusiasm. Warburton had little time for the public reaction and the heroics of Douglas.

Lauder has offered much amusement for the publick, and they are obliged to him... Milton was their reigning favourite, yet they took it well of a man they had never heard of before, to tell them the news of Milton's being a thief and a plagiary... When this was no longer news, they were equally delighted with another, as much a stranger to them, who entertained them with another piece of news, that Lauder was a plagiary and an impostor: had he proved him a Jesuit in disguise, nothing had equaled [sic] the satisfaction.

He concluded with some cryptic and conspiratorial mutterings against 'these monsters' and their '*public spirit*'.²⁸

In public however the criminalization of Lauder continued unabated. Newton had told the world that Lauder 'expresses sorrow for his offence, and promises to make a public recantation acknowledging his crimes, and begging pardon of the world'. In the event this was written for him by Johnson, who had previously written a preface and a postscript to the *Essay*. *A Letter to the Reverend Mr. Douglas, Occasioned by his Vindication of Milton* appeared on 2 January 1751. It was a total, though not an undignified confession, exonerating the prosecutor and accepting full responsibility.

²⁷Letter dated 14 February 1751; *ibid.* I, 250.

²⁸To Jortin, [1749?]; Nichols, *Illustrations*, II, 177-8

for the Violation of Truth, I offer no Excuse, because I well know, that nothing can excuse it. Nor will I aggravate my Crime, by disingenuous Palliations. I confess it, I repent, and resolve, that my first Offence shall be my last... I intreat the Pardon of all Men, whom I have by any Means induced, to support, to countenance, or patronize my Frauds, of which I think myself oblig'd to declare, that not one of my friends was conscious.

There is a further obligation

not only publicly to acknowledge the Truth of the Charge which you have hitherto advanced, but to confess, without the least Dissimulation, Subterfuge, or Concealment, every other Interpolation I have made...

Lauder is equipped with a motive, a rather feeble story about Pope's praise of Milton against the Scottish Latinist Arthur Johnston, whom Lauder had edited.

Only once does Johnson hint at responsibility elsewhere, in reminding those who will not accept 'the Sincerity and Punctuality of this Confession' to 'examine their own Hearts whether they have not committed equal Crimes without equal Proofs of Sorrow, or equal Acts of Attonement' [sic]. This warning, which fell on some very deaf ears, also constitutes part of Johnson's thinking on the moral place of crime in general.²⁹ But, this aside, the charitable ventriloquism served ultimately to secure the insertion of Lauder's activities into the circuit of

²⁹See *The Rambler*, no. 114 (20 April 1751); quotations from the *Letter* are from pp.4-13.

transgression, detection and moralizing confession appropriate to the courts and their mythology. Johnson ensured that Lauder's case, obsessed as it was with literary crime, should be totally vanquished by the fraudulence of some of the evidence, and that the falsification of such evidence in literary argument carried with it the same legalistic paraphernalia as its analogical partner in 'crime'. Johnson's reply to Douglas matches the vindication of Milton in setting the seal on Lauder's criminality.

Lauder's apology was the first confession to be published by a literary forger, and thus marks an epoch; but it may not have been the first to be written. In 1763 George Psalmanazar, the 'famous Formosan' died, leaving an autobiography which was published the following year.³⁰ This was begun in 1728, and covers the period up to 1748, when it was probably abandoned. Johnson drank with Psalmanazar, now a hack writer whose services Birch among others used, in the 1740s and the sincerity of the reformed 'impostor' was never in doubt. Even Hawkins, not the most charitable of judges, agreed that he 'became a sincere penitent, and, without any other motive than a sense of his sin, published a confession... and begged the pardon of mankind in terms the most humble and

³⁰ *Memoirs of ****: Commonly known by the Name of George Psalmanazar.* The most recent account is Frederic J. Foley, S.J., *The Great Formosan Impostor* (St. Louis, 1968).

affecting'.³¹ His *Memoirs* accept without question the criminal nature of his fabricated Formosan description and language, and the 'cheat' of his false identity. 'That scandalous piece of forgery' must be confessed; now is the time to submit to 'the shame and guilt of that vile imposition', to make 'a public acknowledgment of one of the vilest and most odious impostures that youth and rashness could be guilty of'. He will unravel 'that whole mystery of iniquity'; innocent men will be cleared 'that no part of the shame may fall on the guiltless, but on the guilty; and that is chiefly on myself'.³²

What follows is a criminal autobiography, albeit distinguishable from the conventional genre in that it does not end at Tyburn. But it might have done: 'this melancholy account of my former life, vile and abominable as it hath been, and blended with such mixture of the most unaccountable pride, folly, and stupid villainy' is offered as a moral tale in a precisely criminal context. 'The various ways by which I was in some measure unavoidably led into the base and shameful imposture' consist of poor school discipline, life in town, 'indolence, vanity, and bad economy', and bad company - a

³¹For the connection with Birch see Psalmanazar's letters of 1732, 2 November 1741 and 12 July 1752, BL Add. MSS. 4317, ff. 54r, 50, 52r. On Johnson's friendship see Hesther Lynch Piozzi, *Anecdotes of the Late Samuel Johnson* (Dublin, 1786), p.173; Joseph Towers, *An Essay on the Life, Character and Writings of Dr. Samuel Johnson* (1786), pp.109-110; Sir John Hawkins, *The Life of Samuel Johnson* (1787), p.547 and Boswell, *Life of Johnson*, III, 314, IV, 187, 274.

³²*Memoirs*, pp.6-14.

familiar package. Experiments with counterfeiting passports led on to the *Description of Formosa* and London celebrity. A headlong course to the gallows seems inevitable:

The reader may see by all this, what a rash and abandoned fellow I was, how lost to all sense of religion, nature and reason, and how I exposed myself to so many dangers, over head and ears, to indulge a favourite passion... it is rather a wonder that so bad a beginning, so ill concerted, and worse followed, hath not ^{had} a more dreadful ending, and I can only ascribe it to the undeserved mercy of God, that it did not end in my total ruin of body and soul.³³

Several times providence holds him back from the brink of serious crime, slowly working his conversion; the 360-page recantation is the fruit. The whole narrative down to the moment of Grace is a thwarted Last Dying Speech, discovering providence in the detection of the 'crime' and adapting the standard criminology of the day to a literary issue.³⁴ Even if Psalmanazar was never in any danger of prosecution for his Formosan fantasy, the episode is made essentially akin to a common law offence, a likely beginning to some actual felony. He is saved by confession and repentance. This was the policy Johnson, who may have known the *Memoirs* and who regarded Psalmanazar with some awe, tried to exert over Lauder.

³³*Memoirs*, p.140-1 other quotations from pp.5, 65, 115.

³⁴On criminal biography see Lincoln B. Faller, *Turned to Account: The forms and functions of criminal biography in late seventeenth- and early eighteenth-century England* (Cambridge, 1987), passim.

d: 'how soon unsay, /What feigned submission swore'

Lauder did not take the confessional graft readily; where Johnson left off, he took over, inserting into the *Letter* ten 'curious original letters' and other documents - one of them possibly by Psalmanazar - to act as testimonials.³⁵ 'And now my Character is plac'd above all Suspicion of Fraud by authentick Documents', he wrote, 'I'll make bold at last to pull off the Mask, and declare sincerely the true Motive that induc'd me to interpolate a few Lines'... This new motive was a simple desire to cock a snook at bigoted Miltonists (such as Douglas); 'and whether that was so criminal, as it has been represented, I shall leave every impartial Mind to determine'.

In March 1751 Lauder published an independent *Apology for Mr. Lauder*, addressed to the Archbishop of Canterbury, in which he gave an aggravated version of the story about Pope as his grievance. A copy of this exculpation was sent to Birch, who had refused to see him. Dr Mead received a similar letter, offering yet another motive: the desire to detect Milton's own forgeries.³⁶ As for the

³⁵One of the letters from 'the Authors of the Universal History' to William Benson concerned the Hebrew psalms, in which Lauder and Psalmanazar shared an interest; it referred to a part of *An Universal History, from the earliest account of time*, 8 vols (1736-1750) and 20 vols (1747-1748), which Psalmanazar wrote and cited in his *Essays* (1753), p.51; see also Nichols, *Anecdotes*, II, 554, for Johnson's confirmation of the authorship.

³⁶To Birch, 15 March 1751, BL Add. MSS. 4312, ff.64-69; to Mead, 9 April 1751, in Nichols, *Illustrations*, IV, 428-430.

plagiarisms which depended on Lauder's interpolations, he told Birch 'I have it in my power to replace them twenty fold... to the conviction... of all persons of judgement'. Over the next two years Lauder produced two volumes of his long-projected edition of Milton's sources, the *Delectus Auctorum Sacrorum Milto no Facem Praelucentium*. He warded off comments on his fitness for the office of editor³⁷ by printing certificates of textual collation; he also circulated vouchers stating that the dedicatees had agreed to the use of their names.³⁸ The second volume has a Latin preface stuffed to the brim with all the old charges against Milton as the 'PLAGIAORUM PRINCEPS', and inflating the list of victimized authors from eighteen to ninety-seven. The text does not attempt to annotate this claim.

In 1754 the forgery charge was made good when Lauder attempted to reverse Douglas's reversal in *King Charles I Vindicated from the CHARGE of PLAGIARISM, Brought against him by Milton, and Milton himself convicted of FORGERY, and a gross IMPOSITION on the Public*. This revived a claim last given credence in Birch's edition of Milton's prose of 1738. Lauder summarized the issue back to Birch: Milton,

in order to blast the Reputation of that Prince, the undoubted author of *Eikon Basilike*, stole a prayer out of Sir Philip Sidney's *Arcadia*, & oblig'd the Printer of

³⁷See Marcuse, '"The Source of Impostors"', pp.241-242.

³⁸See those pasted in the Bodleian copy, Vet. A5 d.185.

the Kings. Book, under severe Penalties & Threatenings, to subjoin it to his Majesty's Performance, and then made a hideous outcry against his own Action, merely to create a Jealousy... that if his Majesty was not the author of the prayers in that Treatise, he was far less the author of the Treatise itself... Now, if that action, when committed by Milton, is without Malignity, why should it be deem'd so criminal in me? And if it is culpable in me, as I deny not, it is also equally culpable in Milton, or more so, as he was the First Transgressor, and as I only transcribed his worthy Pattern, to give people a Just Idea of the Nature of the action Milton was guilty of.³⁹

The evidence for 'Milton's vile Forgery against the King' Lauder pronounces 'Competent in any Court of Judicature whatever'.

e: 'his place /Ordained without redemption'

As his source Lauder cited the *Dissertation* in Birch's 1738 *Collection* of Milton's prose works.⁴⁰ In the meantime, however, Newton had condemned the story and in Birch's second edition the appendix was removed.⁴¹ This was seen as another piece of disingenuousness when Lauder's pamphlet met the inevitable chorus of arraignment. 'Everything becomes doubtful as soon as

³⁹To Birch, 15 March 1751, BL Add. MSS. 4312, ff.64-69.

⁴⁰See above, Introduction: Part One.

⁴¹*Paradise Lost*, edited by Newton, second edition, I, xxx-xxxi; not in the first edition (1749), which may indicate publicity for the story since Lauder's essay. Birch cited Newton's opinion as the reason for the omission: *The Works of John Milton, Historical, Political, and Miscellaneous*, 2 vols (1753), I, xxxiv. His work on this edition is recorded in his diary between 30 September and 15 October 1751; BL Add. MSS. 4478c, ff.200-202. Hollis printed Birch's recantation as a note in his edition of Toland's *Amyntor* (1761), p.241.

Lauder has asserted it', began one reviewer, indicating that the name was touchstone enough.⁴²

Lauder was passing into the annals. Malone copied out parts of the controversy and judged that Lauder was 'the most impudent and contemptible fellow that ever lived'.⁴³ The horror of the incident persisted: 'a vile impostor... a fraud not to be paralleled... vile and insidious... the impostor, emboldened by the success of his atrocious efforts...'.⁴⁴ Hayley rooted his long and speculative narrative in moral placement of the 'unfortunate adventurer, whom a furious temper, considerable learning, and great indigence, converted into an audacious impostor'. On publication of Douglas' book, which united 'magnanimous moderation with the severity of vindictive justice' the 'detected slanderer was soon overwhelmed with the utter contempt he deserved... but, contemptible as he was, the memory of his offences and of his punishment ought to be preserved... that if the world can produce a second Lauder, he may not hope for impunity'. Lauder's departure for a miserable death in Barbados became a do-it-yourself transportation: he was 'punished by events so calamitous' that lovers of Milton 'who are most offended

⁴²GM, XXIV (February 1754), p.98; see also *The Monthly Review*, X (February 1754), pp.145-146; and Douglas, *Milton no Plagiary* (a revised edition of *Milton vindicated*, 1756), pp.81-97.

⁴³Note in his copy of Lauder's *Essay*, Bodleian G. Pamph 334(2*).

⁴⁴Arthur Murphy, *Essay on Johnson's Life and Genius*, in *Johnsonian Miscellanies*, I, 355-488, at p.393; W. Massey, *Remarks on Milton's Paradise Lost* (1761), p. 47; Robert Anderson, *The Life of Samuel Johnson, LL.D.*, third edition (1815), p.132.

by the enormity of the fraud, must wish that penitence and amendment had secured to this unhappy being... a milder destiny... May his wretched catastrophe preserve the literary world from being dishonoured again by artifice so detestable'.⁴⁵

Robert Anderson also stressed his death as a sort of punishment, as did George Chalmers; their narratives confidently shaped and interpreted Lauder in keeping with certain preconceptions of criminal behaviour.⁴⁶ Johnson's role in the affair received similar treatment, particularly after his *Life of Milton* had repeated the accusation that Milton had interpolated the *Eikon Basilike*.⁴⁷ Francis Blackburne contended that by Johnson's reasoning the ministry could be construed as the forgers of John Wilkes's *Essay on Woman* and dismissed the evidence against Milton as 'manifest forgery' by a 'despicable groupe of knights of the post'.⁴⁸ Both Blackburne and Hayley⁴⁹ found ammunition in Johnson's retelling of the tale to attack his general involvement with Lauder - an involvement which had attracted comment

⁴⁵William Hayley, *The Life of Milton, in three parts* (1796), pp.234-240.

⁴⁶Anderson, *Life of Johnson*, pp.128-139; Chalmers, *Life of Ruddiman* (1794), pp.137-151.

⁴⁷*Lives of the English Poets*, I, 84-200, at pp.110-111. For answers and attacks see *The Monthly Review*, LXI (August 1779), 81-92; J. T. Callender, *Deformities of Johnson* (Edinburgh and London, 1782), p.43, and *A Critical Review of the Works of Dr. Samuel Johnson* (Edinburgh, 1783), p.11; Joseph Towers, *Essay on Johnson*, pp.81-82.

⁴⁸See *Remarks on Johnson's Life of Milton* (1780), pp.67-82, at p.81. *add on Wilkes*

⁴⁹*Life of Milton*, pp.102-103, 202, 235-238.

ever since Douglas had detected Lauder's borrowing of his assistance in the *Essay*.⁵⁰ Johnson's forwardness in encouraging Lauder was remarked by Lort, Hawkins and many others.⁵¹ Kenrick turned an argument about Shakesperian editing into a discussion of more pernicious textual activities, asserting that Johnson had suppressed attacks on Lauder sent to *The Gentleman's Magazine*:

Who encouraged LAUDER in his infamous attempt... clapping him on the back while he hopped about the town, exclaiming against that axacrable villain John Milton?... Who recommended such a modest gentleman to the Lords Chesterfield and Granville, who honoured him with their protection... till even Dr. JOHNSON'S interest could not prevent his being ignominiously turned out of doors? ... Who actually wrote Lauder's pamphlet?⁵²

Blackburne assigned the *Essay* solely to Johnson, with Lauder a mere front:

Lauder was disgraced with the public, and discarded by his amanuensis, who turned a deaf ear to all his reproaches, and abandoned him to his fate, with a cool philosophical apathy, void of all ambition to share with him the blushing honours himself had so generously contributed to thicken upon Lauder's devoted head.⁵³

⁵⁰Douglas, *Milton vindicated*, p.103.

⁵¹See *GM*, LI (May 1791), pp.432-433; Hawkins, *Life of Johnson*, second edition (1787), p.286; Charles Churchill, *The Ghost*, II.221-232, in *Poetical Works*, edited by D. Grant (Oxford, 1956), p.86; William Mudford, *A Critical Enquiry into the Moral Writings of Dr Johnson* (1802), p.37; Nichols, *Anecdotes*, VI, 43.

⁵²*A Defence of Mr. Kenrick's Review of Dr. Johnson's Shakespeare* (1766), pp.12-13.

⁵³*Remarks on Johnson's Life of Milton*, pp.12-13.

This literary history was contested by Johnson's defenders, among them Murphy and Boswell; Johnson himself ventured to write on a copy of Blackburne's *Remarks* 'in the business of Lauder, I was deceived; partly by thinking the man too frantick to be fraudulent'.⁵⁴

In these assertive biographies, everything appeared to doom Lauder from the start. Chalmers recounted how John Love in 1740 'engaged in a controversy, about the comparative merits of Buchanan and Johnston, with the notorious Lauder, who, even then, was suspected of scholastic forgery'.⁵⁵ There seems to be no other trace of this accusation against Lauder, but Lauder certainly accused Love of suborning 'false Evidence' and of misquotation - 'the Passage he cites... is forged, no such Note having ever been published by me... and I am told, that in Law the user of a forged Writ is as obnoxious as the forger himself'. The same rhetoric found the Town Clerk of Edinburgh guilty of 'pilfering or suppressing authentick original Papers' and of 'falsifying the R--ds of C--l'.⁵⁶

⁵⁴See ~~GM, LVII (December 1784), p. 891~~, and Nichols, *Anecdotes*, II, 551. Murphy expands the account; see *Johnsonian Miscellanies*, I, 393-398. See also Boswell, *Life of Johnson*, I, 228-231 and GM, new series, II (March 1857), pp. 287-290.

⁵⁵*Life of Ruddiman*, p. 137.

⁵⁶See Lauder, *Calumny Displayed*, three parts (Edinburgh, 1740-1741), II, 14-15, 20; III, 7; *Chamaeleon Redivivus* (Edinburgh, 1741), pp. vi-vii, and *A Dentrifice for Bucalo-Cephalo-Dogmatico-Pragmatico-Despotico-Moro-Vulturo-Gramaticus* (1741), pp. iii, 17, 52. I have not seen John Love's *A Letter to a Gentleman in Edinburgh* or *A Second Letter to a Gentleman in Edinburgh* (Edinburgh, 1740) but extracts were printed in *The Patriot*, VI (18 July 1740) and XXIII (14 November 1740).

Nonetheless, this was not a case of individual obsession. As soon Lauder began to publish on Milton, he was given a context as a member of a club dedicated to the cause of Mary Stuart against the 'villainous forger' Buchanan: 'the Letters which were seized and brought to York, and sworn to be written by Queen Mary to Bothwell, were discovered by them to be forged...'⁵⁷ This controversy, a clear relative of the debate on the *Eikon Basilike*, should remind us of the central cultural and political importance of the issues Lauder raised. Chalmers's *Life of Ruddiman* is full of such questions, Ruddiman's status as a Jacobite grammarian stirring up predictable opposition to his emendations in the text of Buchanan.⁵⁸ Milton and Buchanan were 'divine' poets but Satanic politicians and historians, turning against the ruling members of the Stuart family and even forging evidence against them. The authenticity of literary texts took on an unmistakably political significance, but one which again appeared constrained by the rules and forms of legal evidence.

The Casket letters were, with the letters implicating the Queen in the Babington conspiracy, dismissed as 'malicious forgery' by Thomas Carte, the Jacobite

⁵⁷*Furius*, pp.19-22; see also Gordon Donaldson, *The First Trial of Mary, Queen of Scots* (1969), pp.67-73.

⁵⁸See Chalmers, especially pp.66-131, 158-224, and Duncan, *Ruddiman*, pp.97-144.

historian, and many others.⁵⁹ In 1754, the year of Lauder's pamphlet on the *Eikon Basilike*, Walter Goodall published the first formal attack in his two-volume *Examination of the Letters said to be written by Mary Queen of Scots... Shewing by Intrinsic and Extrinsic Evidence, that they are FORGERIES*. Goodall's 'ample and palpable marks and evidences of forgery' were found in the loss of the 'originals', in chronological discrepancies, in false imprints, in diction and style. None of these proofs convinced Hume or Robertson, writing a few years later.⁶⁰ Robertson confessed that proof was difficult but that 'a proof by circumstances, or presumptive evidence' was competent. Particular theories of forgery, citing religious examples, are adduced to answer Goodall:

whenever a paper is forged with a particular intention, the eagerness of the forger to establish the point in view... always prompt[s] him to use expressions the most explicit and full to his purpose... a forger is often apt to prove too much, but seldom falls into the error of proving too little.

⁵⁹See his *General History of England from the earliest Times*, 4 vols (1747-1755), III, 475-486, 603-609; and S. Jebb, *History of the Life and Reign of Mary Queen of Scots* (1725), pp. v, 186, 314; Eliza Heywood, *Mary Stuart, Queen of Scots* (1725), pp. 140-141, 221; James Freebairn, *The Life of Mary Stewart* (Edinburgh, 1725), pp. xiii, 189, 192, 293.

⁶⁰David Hume, *The History of England from the Invasion of Julius Caesar to the Revolution of 1688*, new edition, 6 vols (1830), III, 508-509, 594-596; William Robertson, *A Critical Dissertation of the Murder of King Henry, and the Genuineness of the Queen's Letters to Bothwell*, in his *History of Scotland During the Reigns of Queen Mary, and of King James II*, second edition, 2 vols (1759), volume II.

The letters are *not* good evidence, and are therefore more likely to be genuine and of use in implying the Queen's guilt. In the event Robertson does not quite 'pronounce sentence'; but he does dismiss the Babington documents - 'Was this suspicious evidence enough to condemn a Queen?

Ought the meanest criminal to have been found guilty, upon such feeble and inconclusive proofs?'.⁶¹

Nonetheless William Tytler noted that Mary had been 'a second time brought to trial, and condemned' by Hume and Robertson.⁶² His own book develops the theme: 'would these letters... have been sustained as genuine authentic writings, in any court of law or justice?'; 'no impartial jury, or judge, could, upon conscience, have given judgement for these letters as genuine'.⁶³ It is not merely that the controversy supplies this impartial hearing - 'let us try them according to the rules of equity, as in a court of justice' - in place of the biased Elizabethan court. A legal format is adopted as part of the standard of argument:

if any man, by the discovery of a writing or deed, pretends to strip another of his property, the pretender must not only prove the authenticity, but likewise give some reasonable account how such writings fell into his hands... suppose a man was to swear a debt against me, and

⁶¹Quotations from *A Dissertation*, pp.10, 20-21, and *History of Scotland*, II, 135-136.

⁶²*An Inquiry Historical and Critical into the Evidence against Mary Queen of Scots*, third edition (Edinburgh and London, 1772), pp. 382, 364.

⁶³*Inquiry*, pp.185-186.

offered to prove it by bond or bill of my hand-writing
...⁶⁴

Here the examples are not derived from the case at hand but from some conceptual store of legal wisdom: property litigation is the proper arbiter of a historical problem.

These arguments were reproduced, refuted, and ratified in a number of reviews.⁶⁵ One of the longest pieces was contributed to *The Gentleman's Magazine* by Johnson.⁶⁶ A miniature dissertation in its own right, the review applied succinct scepticism to the rhetoric of both sides ('Robertson makes use principally of what he calls the *internal evidence*, which, amounting at most to conjecture, is opposed by conjecture equally probable') but supported Tytler's cause and indeed used similar terminology. The confession of French Paris was 'not a judicial confession... The paper itself does not bear any such mark; nor does it mention that it was taken in presence of any person, or by any authority whatsoever... it is destitute of every formality required in^a judicial evidence'. He concluded by noting how argument had changed the status of the documents: 'that the letters were forged is now made so probable, that perhaps they

⁶⁴*Inquiry*, pp.4, 49.

⁶⁵See *The Monthly Review*, XX (February and March 1759), pp.163-178, 193-207; XXIII (July 1760) pp.30-40; *GM*, XXIX (April to October 1759), pp.151-154, 214-217, 253-256, 314-319, 371-376, 419-422, 475-481.

⁶⁶XXX (October 1760), pp.453-456.

will never more be cited as testimonies'. There was much more to come in the controversy; John Whitaker's *Mary Queen of Scots Vindicated* (4 vols, 1787) ran to over 1700 pages, and Chalmers prefaced his *Life of Mary* of 1818 with a review of the case. When in 1825 Hugh Chambers reprinted some fictional *Genuine Letters* of 1726 as the originals from the Casket, Chalmers detected him as the 'Prince of Plagiarists', reprinting Johnson's review of Tytler entire.⁶⁷ This piece, epitomising a legalistic historiography which invoked the impartial physicality of evidence and the 'laws' within which evidence could signify, had itself become a document of reference.

f: 'knowledge of good bought dear by knowing ill'

The political use of authenticity and forgery as concepts is clear, both in Lauder's *Essay* and in the detection which followed. The later career of John Douglas, Goldsmith's 'scourge of impostors, the terror of quacks', is a little more complex, as the detector, whose career as a clergyman was beginning to take off, found himself

⁶⁷See *The Love Letters from Mary, Queen of Scots, to James, Earl of Bothwell* (1824); *The Genuine Letters of Mary, Queen of Scots* (1726); *A Detection of the Love-Letters lately attributed in Hugh Campbell's Work to Mary Queen of Scots* (1825), pp.29-42; and Sir George Turner, *Mary Stuart: Forgotten Forgeries* (1933). Chalmers also linked Campbell with Ossian in his epigraph - Campbell had brought out an edition of *Poems of Ossian* in 1822.

apparently on the side of Catholics.⁶⁸ Among the victims noted by Goldsmith was Archibald Bower, supposedly a converted Jesuit, who made a living as a writer - he supervised the *Universal History* to which Psalmanazar, who criticized his laxity, contributed.⁶⁹ Extensive annoyance among Catholics at Bower's *History of the Popes* led the prominent Romist Sir Henry Bedingfield to disclose some letters apparently from Bower to Father Sheldon Jesuit Provincial in England, showing that Bower had been re-admitted as a Jesuit in the 1740s and had bought an annuity on the Society. There were account books showing the transactions. Bower at once declared them forgeries and offered rewards for the detection of the forger; two affidavits to this effect were sworn.⁷⁰

Bedingfield's contact was John Douglas, who with Thomas Birch began collecting written and oral evidence.⁷¹ In July 1756 Douglas printed *Six Letters from A----d B---r to Father Sheldon*, which contained not only the letters and receipts but a mass of supporting testimony. In three pamphlets Bower contended that the letters were Jesuit

⁶⁸*Retaliation*, 11.79-92, in *Collected Works of Oliver Goldsmith*, edited by Arthur Friedman, 5 vols (Oxford, 1966), IV, 352-359, at 356-357.

⁶⁹See *Memoirs of *****, p.328.

⁷⁰See *The Public Advertiser*, 13 February, 2 March and 27 May 1756; and *The Evening Advertiser*, 18-20 March, 8 April, and 22-25 May; and *Mr. Archibald Bower's Affidavit in Answer to the False Accusations brought against him by PAPISTS* (1756).

⁷¹For details see Birch's diary entries between February 1756 and February 1758: BL Add. MSS. 4478c, ff.280-328.

forgeries.⁷² Douglas responded with *Bower and Tillemont Compared*, which, after modestly disposing of the idea that it was too severe to 'load with fresh accusations one already convicted, and to continue the prosecution of a criminal, even after sentence of condemnation hath been passed' , Douglas offers to lay 'before the publick, a scene of *plagiarism*'. Extensive parallel quotations show how Bower had lifted material from French historians and concealed his sources to avoid 'the infamy of being detected as the most unlicensed plagiarist'.⁷³ After *Mr. Bower's Answer to a New Charge* (January, 1757), Douglas put out *A Full Confutation of all the Facts advanced in Mr. Bower's three Defences* (April, 1757), which presented more letters and testimonies; yet more were forthcoming in his *Complete and Final Detection of A---d B---r* (March, 1758) which disposed of *Mr. Bower's Reply to a Scandalous Libel*. The intention to deposit all the relevant papers in the Bodleian was announced, so that the 'vouchers', receipts and letters which had been presented in the form of facsimiles and printed affidavits could be checked.⁷⁴

⁷²*Bower Vindicated from the false Insinuations and Accusations of the PAPISTS* (1756), *Mr. Bower's Answer to a Scurrilous Pamphlet* and *The Second Part of Mr. Bower's Answer* (1757).

⁷³Quotations from pp.2, 5, 57. The final phrase bears some resemblance to Lauder's accusation against Milton: *Essay*, p.163.

⁷⁴They are now Bodleian MS Add.C.49; see also Bedingfield to Douglas, 16 February 1758, f.44, and Humphrey Owen to Douglas, 2 March 1758, Add.A.64. Birch's extensive collection of Bower papers, letters, and newspaper clippings is BL Add. MSS. 4234.

Bower retained some noble support, but the reviewers, including Johnson, sided with Douglas.⁷⁵ He had proved his case. His theories and arguments have much in common with Robertson's defence of the Casket Letters. 'No forgery... ever was contrived, but when a real or apparent object of interest could be gained by the contrivers'; yet the letters fail to provide the evidence a forger would consider necessary - 'such things as might fix upon him, more incontrovertibly, the intended charge'.⁷⁶ Again, Douglas cites the evidence of script:

Similitude of hands, I shall readily grant, is, in itself, no absolute proof; and, no doubt, there have been forgeries so well executed, as to confound those who were best acquainted with the hand-writing that was counterfeited. But, surely, similitude of hands is a very strong presumption in all cases; and where no reasonable appearance of forgery can be traced, will always have great weight with an impartial examiner.⁷⁷

While 'such a piece of writing as a promissory note' might be forged, it would be 'next to impossible, to forge six long letters, in a very singular hand, without the least air of constraint, and without furnishing some means, from the bare inspection of them, to find out the fraud'. So

⁷⁵See John Corpe, *Some Very Remarkable Facts, Relating to the Conduct of the Jesuits, with Regard to Mr. Bower, and One Very Remarkable Fact More* (1758). For reviews see *The Monthly Review*, XVI (April 1757), pp.340-343. Johnson's reviews were in *The Literary Magazine* I, 3 (15 June-15 July 1756), pp.128-133 and I, 9 (15 December 1756-15 January 1757), pp.442-453.

⁷⁶*Six Letters*, pp.44, 48.

⁷⁷*Six Letters*, pp.43-44.

Johnson had argued in reviewing Tytler's *Inquiry*; he now declared 'proofs must be very strong, that will counterbalance similitude of hand... a physical testimony, perhaps irrefragably cogent'. Douglas reproduced these words⁷⁸ and drew comparisons with the arguments used at the trial of Algernon Sidney and a contemporary wills-and-deeds case. Forgery of evidence against Bishop Sprat was also cited.⁷⁹

Bower took a line similar to that of Oldmixon; it was 'far more easy, as they say who are skilled in detecting such forgeries, to imitate a bad hand than a good one'; any lawyer could tell of voluminous, barely-detectable forgeries.⁸⁰ The evidence never quite got into court, though Bower's affidavits were sworn in King's Bench and before Sir John Fielding and Douglas tells us that 'hopes... were conceived... that a way would be found by which the genuineness of the Letters might be authenticated, by a decision in *Westminster-Hall*'.⁸¹ But the pamphlets are solid with criminal analogies: imaginary highwaymen are laboriously unmasked, condemned criminals are conjured up to make feeble defences at the Old Bailey.

⁷⁸*Full Confutation*, p.80.

⁷⁹On Sprat see *A Relation of the late wicked contrivance of S. Blackhead and R. Young* (1692-1693); Johnson retold the story in his life of Sprat, *Lives of the English Poets*, II, 32-40, at 35-37: 'his hand was counterfeited so well, that he confessed it might have deceived himself'.

⁸⁰*Second Part of Mr. Bower's Answer*, p.16.

⁸¹*Six Letters*, p.88; compare Bedingfield to Birch, 13 April 1756, BL Add. MSS. 4234, ff.66-67.

Douglas's role as the merciful prosecutor is well in hand - he admonishes Bower 'in the most serious and solemn manner, with a view not to *insult*, but to reform, not to harden himself in his *impenitence*, but to rouse him... to thoughts of *amendment*'.⁸² The case is altered from the attack on Lauder of a few years previous in that Douglas has to prove authenticity, not forgery, and plagiarism rather than originality; but the parameters employed in the detection of the earlier 'impostor' are identical.

The theoretical stress of Douglas's rhetoric is that 'evidence' is fundamentally valid, that the internality of authorship will be visible. The other participants in the Lauder affair were involved in the same questions at an essential level in their literary careers. The controversy we have examined extended to the authorship of the various pieces concerned, Johnson's shadowy contribution being notably contentious. The interference with texts of the past, and clarity of authorship in the present, were issues underlying this debate, just as with Phalaris or the scriptures. There was no escaping the question. In May 1750, just as accusations against Lauder were beginning to emerge, Johnson offered Birch a manuscript of Raleigh, declaring, 'I perceive no proofs of forgery in my examination of it, and the Owner tells me that, as he has heard, the handwriting is Sir Walter's'.⁸³

⁸²*Full Confutation*, p.93.

⁸³Letter dated 12 May 1750; *Letters of Johnson*, I, 33.

Later in the same year Birch, writing to Lord Hardwicke about Lauder, noted: 'Mr. Lyttleton^{highly} recommends to me a little piece, intituled, *The Oeconomy of Human Life*, pretended to be translated from an Indian Manuscript written by an antient Bramin. It is undoubtedly a modern production, & of the Growth of our own Country'.⁸⁴ He in turn was accused of conniving at the forgery of early English newspapers.⁸⁵

In 1753 Robert Thyer, who had assisted Newton and Douglas, wrote to Tonson about an edition of Butler's posthumous works, eventually to be published in 1759 as *The Genuine Remains in Verse and Prose of Samuel Butler*. The editor was at pains to convince Tonson of the authenticity of the papers, and the owner would certify them 'in any publick manner that shall be thought requisite to satisfye the publick'. His provenance was printed with a set of other confirmations in the edition, which argued passionately that 'from evidence of such a nature there cannot remain the least doubt of the genuineness of this work'; Johnson contrasted an earlier publication ('I know not by whom collected or by what authority ascertained') with Thyer's 'indubitably genuine'

⁸⁴Letter dated 17 November 1750, BL Add. MSS. 35397, f.320.

⁸⁵See Nichols, *Illustrations*, VIII, 529-530: 'one of the most extraordinary deceptions ever known'. The paper in question was *The English Mercurie*, and as Nichols acknowledges, it was never 'brought forward to deceive the public'. The copies survive in BL Sloane MS. 4106, ff.27-40v and comprise three printed and four manuscript copies dated 1588; the printed copies do not use antique type. Nichols ascribed the 'deception' to the second Earl of Hardwicke.

pieces.⁸⁶ John Bowle introduced himself to Walpole as a collaborator with Douglas against Lauder in offering two additions, one in manuscript, to the *Catalogue of Royal and Noble Authors*. In answer to Walpole's scepticism, Bowle tried to construct a provenance for the manuscript, which he had picked up at the bankruptcy sale of John Ayliffe, the convicted forger in whose case Birch also took an interest.⁸⁷

g: 'curse /Their frail original'

We can now set this use of legal analogy for literary authenticity in a broader context. Lauder established himself within a certain tradition of textual criticism by praising Bentley's edition of Milton - though his 'imaginary editor is now fairly acquitted' as the interpolated passages turn out to be plagiarisms instead.⁸⁸ That his arguments against Milton began in 1747, the year in which Warburton constructed a 'genuine text' of Shakespeare against the interpolations and

⁸⁶Thyer to Tonson, 12 March 1753, BL Add. MSS. 32626, f.1; see Tonson's letter of 8 January 1756 (f.2) and Nichols, *Illustrations*, IV, 263; Johnson, Butler, in *Lives of the English Poets*, I, 201-218, at p.208.

⁸⁷Bowle to Walpole, 6 and 16 February 1764; Walpole to Bowle, 11 February 1764; *Correspondence of Walpole*, XL, 296, 300, 305. Bowle put the manuscript in the Bodleian, where it is catalogued as genuine: MS Bodley 6. For Birch's notes from *The Case of the Orphan and Creditors of John Ayliffe* (1759), see BL Add. MSS. 4293, f.109-119b.

⁸⁸*Essay*, p.44; and see p.106. On Lauder and Bentley see *GM*, XXX (April and June 1750), pp.155, 269.

plagiarisms of Theobald and Hanmer, indicates something of the literary climate. It is noteworthy that Warburton stigmatized Lauder as a 'plagiary' rather than as a forger; Mason called Handel the 'musical Lauder' in discovering not forgery but plagiarism.⁸⁹ There seems to be a loose alliance between these two crimes against literary property.

Between the Copyright Act of 1709 and the decision in House of Lords of 1774, the status of literary property was argued, defined and litigated. Booksellers and authors, among them Pope, denounced and often prosecuted pirates.⁹⁰ Clearly, literary property was an essential function of authorship: 'I do not know... any Property more emphatically a Man's Own, nay, more incapable of being mistaken, than his literary Works', pronounced one judge; however problematic it might be to determine 'wherein consists the IDENTITY of a Book', commerce began with the undoubted property of the author's holograph.⁹¹ Yet along with this legal (and commercial) obligation went

⁸⁹Warburton to Jortin, [1747?], in Nichols, *Illustrations*, II, 177; Mason to Gray, 25 December 1755, quoted in O. E. Deutsch, *Handel. A Documentary Biography* (1955), p.767.

⁹⁰On Pope see Pat Rogers, 'The case of Pope v. Curll', *The Library*, 5th series, XXVII, no.4 (December 1972), 326-331, and David Hunter, 'Pope v. Bickham: An Infringement of An Essay on Man alleged', *Library*, 6th series IX, no.3 (September 1987), 268-273. On piracy in general see for example Catherine C. Ward and Robert E. Ward, 'Literary Piracy in the Eighteenth-Century Book Trade: The Case of George Faulkner and Alexander Donaldson', *Factotum*, 17 (November 1983), pp.25-35.

⁹¹*The Question of Literary Property, Determined by the Court of King's Bench*, p.52.

a culturally-defined metaphysical property, for there could be no property without *originality*.⁹² Young's famous essay is a hymn to this bond:

Thyself so reverence as to prefer the native growth of thy own mind to the richest import from abroad... The man who thus reverences himself, will soon find the world's reverence to follow his own. His works will stand distinguished; his the sole Property of them; which Property alone can confer the noble title of an Author.⁹³

The creative godhead resides in the possessive individual; composition is invested in monarchic 'genius' rather than in imitation or recycling of tradition. Commerce and criticism are in unison.

The very emphasis on originality produced an awareness of allusion, intertextuality and plagiarism, and scholars busily tracked down the 'sources' used by Milton and Shakespeare. Lauder was not the first.⁹⁴ Whalley, using the method of parallel quotation to point out properties and borrowings in Shakespeare, felt it necessary to dissociate his work from Lauder's.⁹⁵ So too did Richard

⁹²See William Kenrick, *An Address to the Artists and Manufacturers of Great Britain* (1774), p.46; Boswell, *The Decision of the Court of Session, upon the Question of Literary Property* (Edinburgh and London, 1774), pp.7-8.

⁹³Edward Young, *Conjectures on Original Composition* (Dublin, 1759), p.30. For similar concepts see Warburton, *A Letter from an Author, to a Member of Parliament, concerning Literary Property* (1747), p.2; Catherine Macaulay, *A Modest Plea for the Property of Copyright* (1774), p.24. Johnson thought Young's sentiments 'very common': Boswell, *Journal of a Tour to the Hebrides*, p.234.

⁹⁴See the anonymous *Essay on Milton's Use and Imitation of the Ancients* (Edinburgh, 1741).

⁹⁵See Peter Whalley, *An Enquiry into the Learning of Shakespeare* (1748), pp.81-83.

Hurd, in his attempt to provide a detection manual for imitation-hunters.⁹⁶ Hurd's work advised caution in labelling similarities as plagiarism but showed what evidence was necessary for the fact: '*an identity of phrase and diction, is a much surer note of plagiarism... There is no defending coincidences of this kind*'.⁹⁷ Johnson had said much the same in discussing 'the charge of plagiarism':

As not every instance of similitude can be considered as a proof of imitation, so not every imitation ought to be stigmatized as plagiarism... No writer can be fully convicted of imitation, except there is a concurrence of more resemblances, than can be imagined to have happened by chance.

Another essay calls plagiarism 'the most reproachful, though, perhaps, not the most atrocious of literary crimes'.⁹⁸ Boswell also distinguished between the levels of proof needed in each case; Ruddiman told Lauder he would need better evidence than he had for 'proof of such a plagiarism' and another writer felt that no similitude would prove plagiarism - only 'historical Evidence' of the writer's being caught red-handed would do.⁹⁹

⁹⁶Hurd, *Dissertation III. On Poetical Imitation and Dissertation IV. Of the Marks of Imitation*, in *The Works of Richard Hurd, D.D.*, 8 vols (1811), II, 107-313; for Lauder see *Dissertation IV*, p.255.

⁹⁷See *Dissertation III*, p.208.

⁹⁸See *The Rambler*, no.143 (30 July 1751) and *The Adventurer*, no.95 (2 October 1753).

⁹⁹See *Boswell's Column*, edited by Margery Bailey (1951), pp.131-138; Ruddiman to Lauder, 5 November 1745, in Duncan, *Ruddiman*, pp.160-165; *Reflections on Originality in Authors* (1766), especially pp.52-53, 62.

Certainly there was some resistance to this notion of a 'literary crime'.¹⁰⁰ Imitation of the ancients, or the early English classics (Spenser, Milton) as a common literary stock, was part of the poet's craft - though even here acknowledgements were often used to fend off accusation. But imitation of living authors, even in parody, could constitute one of two crimes against proprietorial originality: either plagiarism (the theft of work produced) or forgery (the theft of style).

Thyer felt his Butler papers represented 'the undoubted spirit of an Author not to be imitated', adding cautiously 'but that, perhaps you may say is a precarious proof'. Walpole asked Bowle if the poem ascribed to Richard III contained the royal touch: 'there must be some *intrinsic* marks of originality in it, if genuine... Such a soul must have stamped some marks of itself on its composition'.¹⁰¹ The evidence of style was the surest mark of the authorship of *Eikon Basilike*: Long pointed to 'the

¹⁰⁰See *GM*, XX (April 1750), pp.155-157; others considered that Lauder had simply not proved his case, though some said he had indeed provided 'sufficient evidence for the fact': XVII (June and July 1747), pp.278-279, 322-324; XVIII (February 1748), p.68. See in general the ironic notes to Fielding's *The Tragedy of Tragedies* (1731).

¹⁰¹Thyer to Tonson, 12 March 1753, BL Add. MSS. 32626, f.1; Walpole to Bowle, 11 February 1764, *Correspondence of Walpole*, XL, 301. Compare Robertson on the 'simplicity and naiveté which it is almost impossible to imitate' shown by Fench Paris's confession: *Dissertation*, p.17, and see Atterbury's *Vindication*, p.5; Mr. Oldmixon's *Reply*, p.12, denied that any style was beyond imitation. Temple and Bentley maintained directly opposite estimates of the style of the Phalaris letters: Bentley, *A Dissertation*, in Wotton's *Reflections*, p.123; Sir William Temple's *Essays*, pp.34-35.

Characters which may be observed in that Book of the Royal Author, which appear as plain as his Image and Superscription on his Coin, and do as naturally own each other, as the Ewe doth the Lamb'.¹⁰² It is not merely that this made Gauden's imitation or Milton's interpolation worse ('to counterfeit the King's Conscience... is a more audacious and far greater Crime, that to counterfeit his Coin, his Hand, or his great Seal')¹⁰³ though the loading of the book with the scriptural status of a martyr's writing emphasizes this aspect.¹⁰⁴ It is that internal evidence proves the interiority of authorship, secures authenticity as a substance. Clearly there was a political need for the book to be the 'authentic' work of the King, just as there was a need for Milton to have interpolated it or to have been a plagiarist or for Lauder to be detected. But there was also a deeper need for style to be the authentic mark of a man, in this case of the sovereign himself; the property of authenticity itself had to be saved. The 'Royal Author' had inscribed a text preserving not merely historical accuracy but the anointed sovereignty of representation itself, the book an unbroken icon of original scripture.

¹⁰²Long, *Walker's Account Examined*, p.46.

¹⁰³Wagstaffe, *Vindication of King Charles the Martyr*, p.23.

¹⁰⁴See Long, *Walker's Account Examined*, pp.6, 31, 45; Hollingworth, *Defence of King Charles I*, p.37; Toland, *Amyntor*, passim; and *Bishop Burnet's History of His Own Time*, edited by M. J. Routh, second edition, 6 vols (1833), I, 93-95.

CHAPTER FOUR: OSSIAN, JOHNSON AND THE PATAGONIAN GIANTS

a: The Politics of Forgery.

In the decade following Lauder's disclosures against Milton, the involvement of Scottish literature and history with questions of forgery became inextricable. Much of the general level of accusation was overtly political; many of the theories adduced to prove or disprove cases served one creed or another. Arguments about imitation and imitability certainly have a metaphysical component but also say something about the role of the 'possessive individual' in society.

So it was with Ossian: when James Macpherson produced *Fragments of Ancient Poetry, Collected in the Highlands of Scotland, and translated from the Galic or Erse Language* (Edinburgh, 1760), and followed this up with *Fingal* in 1761 and *Temora* in 1763, the poems emerged into a ready-made context of Scottish (or Jacobite) literary-historical forgery. The crudest kind of political jeering identified the works as forgeries tout court. Other issues lay a little deeper. Johnson questioned Donald Macqueen about *Fingal*:

He said he could repeat some passages in the original. That he heard his grandfather had a copy of the poem; but that he did not believe that Ossian composed that poem as it is now published. This came pretty much to what Mr. Johnson has always held, though he goes farther and maintains that it is no better than such an epic poem as he could make from the song of Robin Hood; that is to say, that, except a few passages, there is nothing truly ancient but the names and some vague traditions. Mr.

Macqueen alleged that Homer was made up of detached fragments. Mr. Johnson denied it; said that it had been one work originally, and that you could not put a book of the *Iliad* out of its place; and he believed the same might be said of the *Odyssey*.¹

Here forgery is linked to a means of literary production, and the great fount of Western literature characterized in accordance with two opposing theories in order to justify (or outlaw) such a means in the composition of Ossian. In this first section, we will see how from the first, authenticity was the crux; then we will pass on to some of the implications of this.

The preface to the *Fragments* began by assuring the public that they may 'depend on the following fragments as genuine remains of ancient Scottish poetry', and the sparse notes scrupulously detect various (minor) interpolations and anachronisms. The later collections allude to gaps and imperfections, versions and styles, as indications of some primordial canonical text disfigured in transmission. Ballads concerning Ossian are thrown out as the thefts and forgeries of Irish bards. Ossian was aggressively self-authenticating.

But the question was begged. Shenstone was prepared to allow wide licence in Macpherson's use of materials, but Gray wrote a series of frantic letters oscillating between the highly dubious 'external evidence' and the persuasive

¹Boswell, *Journal of a Tour to the Hebrides*, p.129.

'internal'. Publication of *Fingal* renewed the dilemma: 'I will stick to my credulity, and if I am cheated, think it worse for him than for me... the rest I leave to the discussion of antiquarians and historians; yet my curiosity is much interested in their decision'. Soon he was pleading with Walpole to tell him if '*Fingal* be discovered or shrewdly suspected to be a forgery'.² Walpole himself had written to David Dalrymple wishing

that the authenticity had been more largely stated. A man who knows Dr Blair's character will undoubtedly take his word - but the gross of mankind, considering how much it is the fashion to be sceptic in reading, will demand proofs, not assertions.³

Hume reasserted this need after Blair had published a dissertation on the poems in 1763:

believers in the authenticity of the poems diminish every day... I often hear them totally rejected with disdain and indignation, as a palpable and ^{most} impudent forgery... It is in vain to say, that their beauty will support them, independent of their authenticity... if people be once disgusted with the idea of a forgery, they are thence apt to entertain a more disadvantageous notion of the excellency of the production itself.⁴

²See Shenstone to John Macgowan, 24 September 1761, in *Letters of William Shenstone*, edited by Marjorie Williams (Oxford, 1939), p.596; Gray to Warton, 20 June and 21 October 1760, to Mason 7 and 31 August, to Clerke 12 August, to Walpole 2 September, to Stonhewer, December 1761, in *Correspondence of Thomas Gray*, edited by P. Toynbee and L. Whibley (Oxford, 1935), pp.679, 690, 693, 694-696, 702, 704, 767; to Walpole, 28 February 1762, in *Correspondence of Walpole*, XIV, 123.

³Letter dated 28 June 1760, in *Correspondence of Walpole*, XV, 69.

⁴To Blair, 19 September 1763, in *The Letters of David Hume*, edited by J. T. Y. Greig, 2 vols (Oxford, 1932), I, 398-401.

Blair collected the names and testimonies of about twenty-five witnesses and 'vouchers' to the poems, and these were added as an appendix to the 1765 complete *Ossian*.

It is significant that serious attacks on Ossian began with the issue of imitation and plagiarism, a technique used by Bentley against Phalaris and given a special prominence by the events of Lauder's career.⁵ It seemed that Hurd was going to extend his territory.⁶ Johnson recalled that Gray had failed to examine the case properly, but that

Dr. Hurd did not believe its general authenticity, and said if it were worth while he could point out a variety of imitations from other authors in it; and Dr. Palmer observed that Dr. Hurd's able criticism could show how these were imitations and not coincidences.⁷

The method was pursued most vigorously by the lawyer Malcolm Laing, both in his dissertation on the subject and in his edition of Macpherson's poetry. Ossian was found

⁵See *Fingal Reclaimed* (1762), pp.9, 12, 16; Donald MacDonald, *Three Beautiful and Important Passages Omitted by the Translator of Fingal* (1761), p.13; J. S. Smart, *James Macpherson: An Episode in Literature* (1905), pp.132-133.

⁶See Gray to Mason, March 1762, in *Correspondence of Gray*, p.778; Hurd to Warburton (explicitly connecting Macpherson and Lauder), 25 December 1761, in *Letters from a Late Eminent Prelate to one of his Friends*, second edition (1809), pp. 332-333; see also the reply (27 December), p.334.

⁷Boswell: *The Ominous Years*, p.84.

not to contain a true property, the originality inherent in authentic composition.⁸

As well as endowing Ossian with some continuity with Lauder, the issue of plagiarism also firmly demarcates the boundaries of discussion as criminal. Laing challenged:

Having arraigned Macpherson at the bar of the public, as one of the first literary impostors in modern times, I have imposed an opposite obligation on his friends to vindicate and rescue his memory, if they can, from the imputation of forgery; after which no reason can be assigned for withholding the book, but that it would serve for his conviction.

This was quoted in *The Report of the Committee of the Highland Society of Scotland, appointed to Inquire into the Nature and Authenticity of the Poems of Ossian*,⁹ the bulk of which is formed by 22 appendices containing all manner of proofs and illustrations, drawn from the documents amassed in the enquiry. Mostly these were attestations in response to a questionnaire on local knowledge of Fingal sent round the Highlands and Islands for the ministers to fill in. They were expected to 'make the enquiry, and to take down the answers, with as much impartiality and precision as possible, in the same manner as if it were a legal question, and the proof to be

⁸Laing, *Historical and Critical Dissertation on the supposed authenticity of Ossian's Poems*, in his *History of Scotland*, 2 vols (1800), II, 377-453; *The Poems of Ossian, &c. Containing the Poetical Works of James Macpherson, Esq.*, 2 vols (Edinburgh, 1805).

⁹(Edinburgh, 1805), p.87.

investigated with a legal strictness'.¹⁰ This rhetoric - crime on the one hand, law on the other - crystallizes here in 1805, but underpins the whole debate.

The question of forgery - specifically, of forged documents - was hedged about with the rules and observances of historical practice. The Ossian poems did not merely give Jacobite Scotland an elegy, they gave it a warlike and noble history. Macpherson's work has recently been examined by Ian Haywood as a species of historical fiction, a model of the transmission of information in the light of contemporary theory.¹¹ But such imaginative devices, though more common in 'legitimate' history at the time than was confessed, were always apt to be dismissed as forgery within the political economy of the literary world. Burke told Boswell 'it was culpable to carry on a literary imposture ^{up}on which facts could be founded, so that the world should be deceived as to manners and ancient history' and historians as diverse as Gibbon, Pinkerton, Whitaker and Henry all had to pronounce on the validity or otherwise of the new source.¹² Some of the

¹⁰Report, p.3.

¹¹Haywood, *Making of History*.

¹²Boswell: *the English Experiment*, p.150; Robert Henry, *History of Great Britain from the first invasion of it by the Romans*, 6 vols (1771-1793), I, 189-193, 316, 338-369, 419-426, 465-490; John Whitaker, *History of Manchester*, 2 vols (1771-1775) I, 16-17, 448, 463; Gibbon, *The Decline and Fall of the Roman Empire*, edited by J. H. Bury, 7 vols (1909), I, 5, 141-142 and n.16; see also Whitaker to Gibbon 26 July 1773 and 11 May 1776, BL Add. MSS. 34886, ff.48-49, 76; Gibbon to Whitaker, 16 October 1775, *The Correspondence of Edward Gibbon*, edited by J. E. Norton, 3 vols (1956), II, 91, and Hume to Gibbon, 16 March 1776, *Letters of Hume*, II, 310-311. For Pinkerton's changing view on Ossian see *Scottish Tragic Ballads* (1781), pp.x-xxvi; *Rimes by Mr. Pinkerton*, second edition (1782), Melody VI;

earliest attacks were based on historical themes; Ferdinando Warner's *Remarks on the History of Fingal* (1762) took to task Macpherson's patchy or distorted authorities, while another questioned 'has he favoured us with any one voucher for his facts?'.¹³ Charles O'Connor, whose early work Johnson admired, wrote on Ossian because the poems 'affect the Credit due to our antient Chronicles... Historical Merit they have none'; in offering his forged documents to patrons Macpherson has tried 'to seduce them out of their Coin, and pay them in Counters'.¹⁴

In 1768 Macpherson's publishers put out a historical work by his kinsman John Macpherson, minister of Sleat on Skye, which attacked Warner and O'Connor.¹⁵ Three years later the same publishers released Macpherson's own *Introduction to the History of Great Britain and Ireland*, which noted the 'perfect agreement' between the poems and 'history'.¹⁶ Sylvester O'Halloran took up the theme, claiming that the Macphersons had adopted 'a system of

Ancient Scottish Poems (1786), p.li; *An Enquiry into the History of Scotland Preceeding the Reign of Malcolm III or the Year 1056*, 2 vols (1789), passim.

¹³*Fingal King of Morven, a Knight-Errant* (1764), p.46.

¹⁴*Dissertations on the History of Ireland* (1766), p.63.

¹⁵*Critical Dissertations on the Origin, Antiquities, Language, Government, Manners, and Religion, of the Ancient Caledonians*, especially pp.132, 207-208, 215-218, 312-313.

¹⁶*Introduction*, p.150.

history, founded on spurious poems'.¹⁷ Discovering Macpherson's false quotations was a method used by John Whitaker, whose critical thrust is underpinned by a series of understated notes demonstrating how Macpherson had altered passages to fit his scheme. Though the understanding reader will 'easily acquit him of any intentional frauds', examples keep cropping up - an 'officious interpolation' here, a 'spirit of inadvertency' there.¹⁸

The issue dogged Macpherson's other historical works, most of which claimed access to 'incontestible vouchers'.¹⁹ In 1775 he published a contentious history of Britain in which it was alleged that several of the great Whig heroes had intrigued with France. The evidence consisted of a store of French documents, published in two large volumes with the *History* itself, and an 'Advertisement' proclaimed 'The ORIGINALS are now in the hands of the bookseller' (Cadell).²⁰ Even before

¹⁷ *Introduction to the Study of the History and Antiquities of Ireland*, quoted in *Monthly Review*, XLIX (September 1773), pp.193-202, at p.200. The reviewer commented that the issue was as doubtful as that concerning Mary Queen of Scots.

¹⁸ *The Genuine History of the Britons Asserted against Mr. Macpherson*, second edition (1773), pp.27, 39, 41-48, 56, 231, 237.

¹⁹ See *The Rights of Great Britain Asserted against the Claims of America* (1776), p.12; *The History and Management of the East India Company* (1779); and *A Short History of the Opposition* (1779), attacked in *Observations on a Pamphlet, entitled, A Short History of the Opposition* (1779), pp.10, 13.

²⁰ *The History of Great Britain, from the Restoration to the Accession of the House of Hanover*, 2 vols; *Original Papers; containing the Secret History of Great Britain, from the Restoration, to the Accession of the House of Hanover*, 2 vols.

publication, a writer asked if the 'new Scotch History' was translated from the Erse; this was the shape of things to come.²¹ Macpherson complained to Cadell about an attack (not traced) supposedly by Johnson, and sent him a letter to be put in the paper (after being copied out so that no manuscript evidence of Macpherson's authorship would remain). The statement indicates that the attacker had presumed 'to call in question the authenticity of the Papers just published', even though 'the originals have lain for these two months past in the hands of Mr. Cadell, the bookseller, for the inspection of the public'.²²

Fingal was a good handle against the *History* in such a context, and in *A Letter to James Macpherson, Esq.* (1775) Johnson's opinion of Ossian was used as an epigraph; another such passage featured in a postscript. Apart from querying the papers - 'Would such evidence as this be admitted in any Court, in the most trivial cause?' - the writer enjoins Macpherson to 'Clear up, Sir, to the World, the disputed origin of your first-born, before you expect that world to give credit to the authenticity of another offspring. Let Ossian be justified, before Nairnⁿ presumes to hope for credit'.²³ Walpole wrote to Mason of the *History* 'can you suspect such a worthy person of forgery? could he forge Ossian?'. Later he linked 'the dull

²¹See *The St. James's Chronicle*, 9-11, 25-28 March 1775.

²²Quoted in Bailey Saunders, *The Life and Letters of James Macpherson* (1894), pp.230-231.

²³*Letter*, pp.3, 5.

forgeries of Ossian' with a Scottish talent for maligning Whigs;²⁴ he related how Johnson detected Ossian before dismissing the *History* as the political fiction of Scottish Jacobites.

The way they took was to coin or pervert ^{what they} pretended original papers - an easy way of defaming the most spotless characters; but the industry with which they pursued this method, the revenge they exhibited, the interest they had in the defamation, the impossibility of detection when verification of the papers was shut up from the families they defamed, and the infamous characters of Dalrymple and Macpherson, the two chief aspersers, destroyed all credibility either in the papers or publishers.²⁵

Dalrymple, whom Walpole several times linked with Macpherson in this light, had caused controversy with similar accusations against Admiral Russell and Algernon Sidney in his *Memoirs of Great Britain and Ireland* (1773). Joseph Towers objected to papers 'of the authenticity of which, or the exactness of the transcriptions from them, we have no certain evidence', and many others detected them as purloined, forged, or in some other way unreliable as 'vouchers'.²⁶ Attacks in the newspapers gave as an instance of 'Scottish Candour' an account of the Lauder

²⁴To Mason 14 April 1775 and 5 February 1781; *Correspondence of Walpole*, XXVIII, 191-192, and XXIX, 105.

²⁵*Journal of the Reign of King George the Third, From the Year 1771 to 1783*, edited by Dr. Doran, 2 vols (1859), I, 472.

²⁶See Towers, *An Examination into the Nature and Evidence of the Charges brought against Lord William Russell, and Algernon Sydney*, by Sir John Dalrymple, Bart. (1773), p.5; *Letters of Lady Rachel Russell; from the Manuscript in the Library of Woburn Abbey* (1773), p.iv; *GM*, XLII (October 1773), p.484.

episode, and one 'Hollis' was quoted as saying 'the Crime of Sir John Dalrymple is similar to that of Lauder; and, I trust, their Reward will be the same'.²⁷ The politics of forgery detection is here clear enough.

b: Johnson

No such obvious political prejudice appears to have animated Johnson in his dismissal of Ossian:

Had it^{been}/really been an ancient work, a true specimen of how men thought at that time, it would have been a curiosity of the first rate. As a modern production, it is nothing.²⁸

And yet as we have seen, such critical pronouncements can have an ideological component, however masked by appeal to the neutrality of legal forms.²⁹

Donald MacNicol, minister of Lismore, declared that 'to render the authenticity of those poems suspicious, was the great object of his Journey'.³⁰ Certainly Ossian was regarded as in some sort the key to Johnson's published *A Journey to the Western Islands of Scotland*.³¹ Mason heard

²⁷ *Observations on a Late Publication entitled Memoirs of Great Britain, by Sir John Dalrymple*, quoting *The Public Advertiser* of 12 and 19 March 1773 in an appendix; see also pp.22-26.

²⁸ Boswell, *Journal of a Tour to the Hebrides*, p.204.

²⁹ For more literary judgements of Ossian, see Boswell, *Life of Johnson*, I, 396, II, 126, IV, 183.

³⁰ MacNicol, *Remarks on Dr. Samuel Johnson's Journey to the Hebrides* (1779), p.345.

³¹ I use the edition by Mary Lascelles, *Yale Johnson*, IX (New Haven and London, 1971); cited as *Journey*.

that 'he has gone far in detecting Macpherson's plagiaries with respect to Ossian... 'tis on this account only that I want to be informed about it'.³² Henry Mackenzie, later to preside over the official enquiry, also singled out the subject:

Johnson's *Tour to the Highlands* is now publish'd, but no copy of it has yet reach'd Edinr except one which Boswell got down by post. I understand it is just what I understood it to be, with Regard to Ossian; allowing no Merit to the Poems at any Rate, & strenuously denying their Originality.³³

Newspapers and reviews selected the material on Ossian to front their accounts of the book.³⁴

According to William Shaw, a minister whom Johnson befriended,

had Johnson's health permitted him, during the last six months, he intended to have drawn out and published a state of the controversy from the beginning, to balance the arguments and evidence on both sides, and to pronounce judgment on the whole... the question... interested him as materially as any circumstance of his life.³⁵

³²Mason to Walpole, 2 October 1774, *Correspondence of Walpole*, XXVIII, 172. The use of 'plagiary' for 'forgery' is worth noting.

³³Mackenzie to Elizabeth Rose, 23 January 1775, in *Letters of Henry Mackenzie to Elizabeth Rose of Kilravock*, edited by H. W. Drescher (Edinburgh and London, 1967), p.168; note again, 'originality' for 'authenticity'.

³⁴See *The St. James's Chronicle*, 17-19 January, 1775; *Monthly Review*, LII (February 1775), pp.158-162.

³⁵Shaw, *Memoirs of the Life and Writings of the late Dr Samuel Johnson* (1785), pp.165-166.

Boswell commented that his 'disbelief of the authenticity of the poems ascribed to Ossian... was confirmed in the course of his journey, by a very strict examination of the evidence offered for it';³⁶ but his *Journal* records mostly argumentative clashes between rival theories and modes of speech rather than 'strict examination'. There is nothing to show that in any of the encounters with Ossian supporters - on Skye, at Edinburgh, at Aberdeen - either side yielded much.³⁷ However Boswell and Shaw are correct to stress the appeal to 'evidence'; Johnson's legal interests gave him a ready form of arraignment.

If the poems were really translated, they were certainly first written down. Let Mr. Macpherson deposit the MS in one of the colleges at Aberdeen where there are people who can judge, and if the professors certify the authenticity, then there will be an end of the controversy. If he does not take this obvious and easy method, he gives the best reason to doubt, considering too how much is against it *a priori*.³⁸

It was to be a favourite theme, affecting other 'forgeries' such as the disputed letters of Pope Ganganeli:

I have written to the Benedictine to give me an answer upon two points - What evidence is there that the letters are authentick? (for if they are not authentic they are nothing;) - And how long will it be before the original

³⁶*Life of Johnson*, II, 302.

³⁷See *Journal of a Tour to the Hebrides*, pp.27, 67, 129, 204-207, 379-381; *Private Papers*, IX, 272, XVI, 234-235.

³⁸*Journal of a Tour to the Hebrides*, p. 67.

French is published? ... Voltaire put the same question to the editor of them, that I did to Macpherson - Where are the originals?³⁹

It was explicitly a question of legal manoeuvres:

"Why is not the original deposited in some public library, instead of exhibiting attestations of its existence? Suppose there were a question in a court of justice whether a man be dead or alive. You aver he is alive, and you bring fifty witnesses to swear it; I answer, 'Why do you not produce the man?'" This is an argument founded on one of the first principles of the law of evidence, which Gilbert would have held to be irrefragable.⁴⁰

After mock-trials of Macpherson's translation against Rorie Macleod's knowledge of the Gaelic, Johnson and Boswell turned on Donald Macqueen, another minister whom they respected but whose opinion on Ossian could not be permitted.

Mr. Macqueen evaded our questions about Ossian in so strange a manner that I said if Macpherson was capitally tried for forgery, two such witnesses would hang him... Mr. Johnson said, "I should like to see Mr. Macqueen examined in one of our courts of justice about Ossian." Said I, "Were he to evade as he has done now, in one of our courts, he would be committed." JOHNSON. "I hope he would..."⁴¹

Such a view of the 'evidence' was repeated in Johnson's *Journey*, when, after many hints, Johnson confessed 'I

³⁹Boswell, *Life of Johnson*, III, 286.

⁴⁰*Journal of a Tour to the Hebrides*, p.380; 'Gilbert' was Sir Geoffrey Gilbert, whose *Law of Evidence* (1726) was favourite reading for Boswell.

⁴¹*Journal of a Tour to the Hebrides*, p.206.

suppose my opinion of the poems of Ossian is already discovered'. Chief among the powerfully-stated arguments is the lack of manuscript proof:

The editor, or author, never could shew the original; nor can it be shown by any other; to revenge reasonable incredulity, by refusing evidence, is a degree of insolence, with which the world is not yet acquainted; and stubborn audacity is the last refuge of guilt.⁴²

'In a question so capable of proof, why should doubt be suffered to continue?', Johnson asks, moving on to detect in advance any future evidence as possible supplementary forgery: 'I am far from certainty, that some translations have not been lately made, that may now be obtruded as parts of the original work'.⁴³

Macpherson gained some knowledge of what Johnson had to say before publication, and there survives a series of letters to be delivered through their mutual friend, the printer Strahan; they range in tone from the quip modest to the reproof valiant, and in response to the final one Johnson sent his famous letter of defiance.⁴⁴ This quickly became celebrated for its indifference to Macpherson's threats of violence, its posture of detection and its return threat of legal proceedings. The letter itself came to be part of the controversy. Johnson

⁴²*Journey*, p.118. Note the shift from 'editor' to 'author'.

⁴³*Journey*, p.119.

⁴⁴See Leslie Stephen, 'Dr. Johnson and Macpherson', *The Academy*, 19 October 1878, p.383.

allowed several copies to be taken; that which he dictated to Boswell, which the biographer intended for the British Museum, was authenticated 'by a note in his own handwriting' reading 'This, I think, is a true copy'.⁴⁵

The letter was excerpted in *The St. James's Chronicle* of 28-31 January 1775, and the paper was awash with news of the controversy until mid-March. Other papers joined in the fun.⁴⁶ Macpherson got his bookseller, Becket, to advertise that the originals had lain in his shop 'for many months in the year 1762, for the inspection of the curious'.⁴⁷ This brought much ridicule, and Boswell and Garrick exchanged banter on the subject - though Boswell was careful to check the story with Johnson.⁴⁸ The detector of Ossian warmed to his task, supplying Boswell with ever more succinct arguments to combat Macpherson:

The state of the question is this. He, and Dr. Blair, whom I consider as deceived, say, that he copied the poem from old manuscripts. His copies, if he had them, are nothing. Where are the manuscripts? De non

⁴⁵Boswell, *Life of Johnson*, II, 298, 513. For alternative performances, copies, and comments, see *Dr Campbell's Diary of a Visit to England in 1775*, edited by J. L. Clifford (Cambridge, 1947), p.61; Shaw, *Memoirs*, p.147; Johnson, *Journey*, edited by J. D. Fleeman (Oxford, 1985), p.xxx.

⁴⁶See in particular *The Morning Post*, 24 January 1775.

⁴⁷*The Public Advertiser*, 20 January 1775. No confirmation of this claim has ever been found, but see Smart, *James Macpherson*, p.141.

⁴⁸See *The St. James's Chronicle*, 19-21 January 1775; Boswell to Garrick, 4 February and Garrick to Boswell, 8 March 1775, in *The Letters of David Garrick*, edited by D. M. Little and G. M. Kahrl, 3 vols (1963), III, 993, 994 n.7; Boswell to Johnson, 27 January 1775, *Life of Johnson*, II, 294. Boswell was effectively the defender of Johnson in Scotland; for the controversy in this form see II, 292-310 and *Boswell: The Ominous Years*, pp.63, 67, 73.

existentibus et non apparentibus, says our law, *eadem est ratio*.⁴⁹

Boswell made the best of the case for Ossian, and offered Johnson a story about a manuscript Clanranald had loaned to Macpherson, and another from Eigg which did 'appear to have the duskyhness of antiquity'.⁵⁰ But Johnson's scepticism was now using the pre-emptive call for 'proof' against any evidence.

Why do you think any part can be proved? The dusky manuscript of Egg is probably not fifty years old; if it be an hundred, it proves nothing. The tale of Clanranald has no proof. Has Clanranald told it? Can he prove it?... If there are manuscripts, let them be shewn, with some proof that they are not forged for the occasion.

Johnson's claims that evidence might be forged appeared to be justified.

You say . . . many can remember parts of Ossian. I believe all those parts are versions of the English; at least there is no proof of their antiquity. Macpherson is said to have made some translations himself; and having taught a boy to write it, ordered him to say that he had learned it of his grandmother... This Mrs. Williams heard at Mr. Strahan's table... Macpherson is, so far as I know, very quiet. Is not that proof enough?⁵¹

Many of Johnson's conclusions were mirrored in the account written by William Shaw - an account in which Boswell

⁴⁹Johnson to Boswell, 7 February 1775, *Life of Johnson* II, 296.

⁵⁰To Johnson, 18 February 1775, *Life of Johnson*, II, 309.

⁵¹To Boswell, 25 February 1775, *Life of Johnson*, II, 309-310.

detected some passages 'which sufficiently mark their great Author' for inclusion in the *Life*.⁵² No manuscripts were to be found. Shaw had originally intended to take 'the affidavits of those who recited the poetry, and those who witnessed it taken down by me in writing, and to have these facts properly vouched by the ministers of the parishes, and neighbouring justices'; but the standard of evidence was not high:

in my tour in the Highlands, a respectable minister begged I would set about a translation of Fingal, and that he and others would undertake to prove it the composition of Ossian, and procure affidavits for that purpose.⁵³

Even legal proof could be suspect.

c: Patagonians

It is not merely a question of an empirical model. According to Boswell, Johnson 'used to boast that he had, from the first, resisted both Ossian and the Giants of Patagonia'.⁵⁴ Indeed it was this comparison that closed Johnson's explicit attack in the *Journey*:

⁵²*Life of Johnson*, IV, 252. For references to the help Johnson was giving Shaw see *Yale Johnson*, I, 313-317. Shaw's title was *An Enquiry into the Authenticity of the Poems ascribed to Ossian* (1781); Boswell's selection is from the second edition, which contained a *Reply to John Clark's An Answer to Mr. Shaw's Enquiry* (Edinburgh and London, 1781).

⁵³*Enquiry*, second edition, pp. 30, 45.

⁵⁴*Journal of a Tour to the Hebrides*, p. 379.

If we know little of the ancient Highlanders, let us not fill the vacuity with Ossian. If we have not searched the Magellanick regions, let us however forbear to people them with Patagons.⁵⁵

Who were these Patagonians? Controversy about such a race of giants had a long prehistory, but had recently flared up following revelations from the voyages of John Byron.⁵⁶ Two camps, believers and doubters, quickly formed, and Johnson's allusion invokes many comparisons with the case of Ossian, not least the appearance of the poet and the giant in innovatory theories of natural history. But the play-off of belief and scepticism is the key. Johnson's friend Hawkesworth edited the *Journal*, making the best of the giants and appealing to the 'concurrent testimonies' of several witnesses, just as Blair listed his 'vouchers' for Fingal. Others declared, in the manner of the Ossianists, that it was impossible 'so many persons should combine to impose on us'.⁵⁷ A significant believer was Thomas Pennant, Johnson's predecessor on the Hebridean tour and a proponent of Ossian. His *Of the Patagonians* was written in 1771.⁵⁸ Another gesture of support for the

⁵⁵*Journey*, p.119.

⁵⁶See *Byron's Journal of his Circumnavigation 1764-66*, edited by R. E. Gallagher (Cambridge, 1964); this has an essay by Helen Wallis (pp.185-196) and a store of contemporary material. See also Percy G. Adams, *Travellers and Travel-Liars 1660-1800*, second edition (1980), pp.19-43; this remains the standard work for many of the themes treated in this chapter.

⁵⁷*Byron's Journal*, pp.lxxvii-lxxx, 195.

⁵⁸Not printed until 1788, at Darlington, and not published until 1793, in *The Literary Life of the Late Thomas Pennant, Esq.*

'evidence' came from Lord Monboddo, also an Ossianist, whose belief in a race of men with tails Johnson found so inherently ridiculous.⁵⁹ On the other side of the question was Walpole, who by the time of his *Account of the Giants Lately Discovered* (1766) had abandoned any pretence of belief in Ossian.⁶⁰ Walpole referred to critical discoveries about the culture of the giants in terms which have Celtic resonances, and there is one direct hit: 'We scarce know of any people, except the Hottentots, or the Heroes who lived in the days of Fingal, among whom no traces of any Religious notions or worship have been discovered'. Byron himself had described the giants as 'cloathed in Skins of wild Beasts of different kinds, which they wore as a Highlander wears his Plaid'. He noted further their alien and venerable poetry, and in speculating about their art, Walpole's Brobdignagian allusions are eked out with more recent notions of the 'true sublime':

if their minds are at all in proportion to their bodies, [it] must abound in the most lofty images... Oh! if we could come at an Heroic Poem penned by a Giant!⁶¹

Johnson's yoking of Ossian and Patagons is no mere accident.

⁵⁹*Of the Origin and Progress of Language*, 6 vols (1773-1792); second edition, I (1774), 267-268n.

⁶⁰Reprinted in *Byron's Journal*, pp.200-209.

⁶¹*Byron's Journal*, pp.46-48, 209.

Charles O'Connor had written of Macpherson as a 'modern Columbus' who 'like other Travellers into unknown Regions, not only indulges himself in the Marvellous, but is audacious enough to think that he could impose upon a learned Age, what could not be tolerated in that of the greatest monastic Credulity'.⁶² Johnson reinforced this categorisation of Ossian as a travel-wonder:

We do not know that there are any ancient Erse manuscripts; and we have no other reason to disbelieve that there are men with three heads, but that we do not know that there are any such men.

Again:

That Lord Monboddo and Mr. Macqueen should controvert a position contrary to the imaginary interest of literary or national prejudice, might be easily imagined; but of a standing fact there ought to be no controversy: If there are men with tails, catch an *homo caudatus*; if there was writing of old in the Highlands or Hebrides, in the Erse language, produce the manuscripts.⁶³

Shaw fared no better in his search: 'some told me such a person had a MS. who, upon interrogation, sent me to another, and he to a third, and so on in a circle, until at length one told me Mr. Macpherson had carried them all to

⁶²O'Connor, *Dissertations*, p.23. The European success of Ossian was stimulated by the translation of Raspe, who later turned to fictional travel in the character of Baron Munchausen; see John Carswell, *The Prospector: Being the Life and Times of Rudolph Erich Raspe (1737-1794)* (1950), p.31-2, 40, 59.

⁶³*Life of Johnson*, II, 311, 383 (the second quotation is from a letter to Boswell, 27 August 1775).

London'.⁶⁴ John Leyden spent a wet and muddy afternoon trying to track down the MacNabs of Dalmally, reputed to possess Ossian manuscripts; the next morning, when the quarry was run to earth, 'Mr MacNab declared that he had seen a MS. of at least thirty poems, but that upon enquiring after it lately he had not been able to procure it'.⁶⁵ Such wonders had a habit of disappearing; the early traveller Aeneas Sylvius, in search of fabled geese that grew on trees, found that 'though the miracle had been represented to me as taking place among the Scots... when I made enquiries regarding this story, I learned that the miracle was always referred to some place further off, and that this famous tree was to be found not in Scotland, but in the Orkney Islands'.⁶⁶

The manuscript, as well as being a legal commodity, had also this dubious status within travel literature. I will conclude this chapter by examining Johnson's writing about Ossian and the Highlands in terms of the historical and geographical information to be found in travel-literature. Johnson's own account will be found to constitute an *implicit* condemnation of Ossian as well as an *explicit* attack, an in-depth and sub-metaphorical challenge. Insofar as Ossian was historical, it could be revealed as

⁶⁴ *Enquiry*, second edition, pp. 32-33.

⁶⁵ *Journal of a Tour in the Highlands and Western Islands of Scotland in 1800*, edited by James Sinton (Edinburgh and London, 1903), pp. 86-88.

⁶⁶ See *Early Travellers in Scotland*, edited by P. Hume Brown (1891), p. 26.

false. Johnson expressed during the tour great concern with the proper mode of historical discourse, the need for proper 'vouchers' and evidence: 'all history, so far as it is not supported by contemporary evidence, is romance'. He objected to the fictionalizing models produced by Dalrymple, Robertson, and Whitaker, and regretted his own pseudo-historical productions in his coverage of parliamentary debates.⁶⁷ Travel-writing had great potential for true information. Abyssinia was one such locus of truth against deceit; the Highlands was to be an area of personal experience. We noted how in Johnson's clash with Macqueen Ossian rated as a crux between two conceptions of authorship - tradition against property, oral against literate, 'Johnson' on the title-page against a ghostly-fictional 'Ossian'. In terms of a mode of writing about the Highlands, the spurious, second-hand orality of Ossian could be edged out stylistically by the recognizable first-person record.⁶⁸

There was already a distinct context for writing about the Highlands. Johnson's father had recommended to him

⁶⁷See *Life of Johnson*, III, 333; IV, 408; Sir John Hawkins, *Life of Samuel Johnson*, p.129; Betty Rizzo, '"Innocent Frauds": By Samuel Johnson', *The Library*, 6th series, VIII, no.3 (September 1986), pp.249-264; Boswell, *Journal of a Tour to the Hebrides*, pp. 54-55, 181, 340, 392.

⁶⁸See *A Voyage to Abyssinia* (Yale Johnson, XV, 3-6); Boswell, *Life of Johnson*, II, 333, and *Johnsonian Miscellanies*, II, 12 record changing views on Bruce, the Abyssinian traveller. Boswell notes a conversation in which Burke discussed Bruce, Bower, and Ossian in one breath: *Private Papers*, XVIII, 24 (23 June 1790). See also Adams, *Travellers and Travel-Liars*, pp.210-222.

Martin Martin's *Description of the Western Islands of Scotland* (1703), a primary pre-Ossianic source for Fingal. Though the attitude to 'this gigantic man' was unreceptive, Martin recorded a number of traditional sites, giving a basic Ossianic territory.⁶⁹ Since then the work of describing Scotland, rendering the landscape intelligible and exploitable, had gone on apace, using historical and literary sites to further familiarity; Johnson and Boswell took part in the process at Holyrood (Mary Queen of Scots) and near Forres (Macbeth, or rather Shakespeare).⁷⁰ Macpherson provided in Ossian a new, indigenous figure combining historical and literary aspects. The actual geography of his region (the kingdom of Morven is expanded from the small peninsula above Mull to cover the whole of the North-West coast of Scotland) is left very vague, as Walpole complained, and its details lacking in all specificity - 'the moon, a storm, the troubled ocean, a blasted heath, a single tree, a waterfall, and a ghost'.⁷¹ Yet this gave the traveller a free imaginative realm, and the Ossianic tour began. Some also toured specifically to track down Ossianic texts.⁷² Avid site-hunters soon discovered Fingal's cave, his grave

⁶⁹*Description*, pp.152-153, 217, 220.

⁷⁰See *Journal of a Tour to the Hebrides*, pp.26, 84, 86, and *Journey*, pp.25-26.

⁷¹See *Memoirs of the Reign of King George the Third*, edited by G. F. Russell Barker, 4 vols (1894), III, 120.

⁷²T. F. Hill's researches were printed in *GM*, LII, 570-571, LIII, 33-36, 140-144, 398-400, 489-494, 590-592, 662-665 (December 1782-August 1783).

at Killin, Ossian's birth-place at Glen Coe, his grave at Glenalmond, and a host of minor sites. Ossian became the standard reference for the tasteful picturesque - even in a balloon.⁷³ A style of description emerged which both used and espoused Ossian:

Near to Carril are some charming fields, bounded by a craggy hill; from a cleft in the middle of the hill rushes forth a torrent, which passing under a natural bridge of rock, dashes down the precipice, and forms a wild and beautiful cascade in its fall: the noise of the torrent echoing in a lofty and deep cavern; the cavern shagged with shrubs and aged trees, among which the wild-fowl make their nests; the rivulet murmuring round insulated piles of rock; and the distant prospect of these halls and monuments of ancient heroes, forcibly recall to mind the images of the Ossian song. Here, perhaps, has Carril, whose name is still preserved in these scenes, mused his wild and desultory strains: here "amidst the voices of rocks, and bright tumbling of waters, he might pour the sound of his trembling harp *." - Whether the memory of lapsed ages was preserved by the bards, or if only, like a morning-dream, the visions of Ossian came in later days, yet "pleasant are the words of the song;" well do they paint these wilds, in all the striking forms of their native grandeur and beauty. "Lovely are the tales of other times;" they are faithful to the story, which deceives the winter evening among the hills. "O Carril, raise again thy voice; let^{me} hear the song of Selma, which was sung in the halls of joy, when Fingal, king of shields, was there, and glowed at the deeds of his fathers+.' *Temora, bk vi +Fingal, bk iii

This comes from a work addressed to Pennant, who may be said to have begun this mode of travel-writing.⁷⁴ Pennant

⁷³See Vincent Lunardi, *An Account of Five Aerial Voyages in Scotland* (1786), p.21.

⁷⁴Charles Cordiner, *Antiquities and Scenery of the North of Scotland, in a Series of Letters, to Thomas Pennant* (1780), p.76-77. A plate depicts an Ossianic harper in tartan socks. For Walpole's use of the book see his letter to Mason, 19 May 1780, *Correspondence of Walpole*, XXIX, 37-38.

made two tours, in 1769 and 1772, making the first consistent attempt to record the distinctive field antiquities of Scotland. Many of his antiquarian views deferred to the Macphersons, whom he treated as non-controversial.⁷⁵ Pennant recorded several Ossianic sites, including Glen Coe, Arran, Skye, and most famously Fingal's Cave, in the account of Sir John Banks: 'how fortunate that in this cave we should meet with the remembrance of that chief, whose existence, as well as that of the whole *Epic* poem is almost doubted in England'.⁷⁶ Very often the reference is ambiguous - Glen Coe is 'celebrated for having (as some assert) given birth to Ossian; towards the North is Morven, the country of his hero Fingal'.⁷⁷ Yet the closing pointer is more than topographical, and even in ambiguity Ossian is assimilated, intruded into the landscape as it is formed by description. Dating such as 'in the days of Ossian' is used; stories, even fragments of Gaelic, are reproduced without question. Ossianisms such as 'the former strength of the hero' pass into Pennant's own writing. The result is that Ossian is confirmed as valid subject matter, appropriate material for discussion in writing of the

⁷⁵See *A Tour in Scotland MDCCLXIX*, third edition (Warrington, 1774), pp.155, 173, 205; *A Tour in Scotland and Voyage to the Hebrides MDCCLXXII*, second edition (1776), pp.206, 228-242 (hereafter *Tour 1769* and *Tour 1772* respectively).

⁷⁶*Tour 1772*, 302. Others were told the name meant 'the musical cave'; see in general D. B. MacCulloch, *Staffa* (1975), pp.105-113.

⁷⁷*Tour 1769*, p.229.

Highland region, his sites the part of normal historical geography; and Ossianism becomes a fitting literary style, a necessary way of writing about a tour in the area.⁷⁸

Johnson made his tour after Pennant's first book was in print and wrote the *Journey* after the second came out; Martin and Pennant were both available on the trip.⁷⁹ Both books were used, but were to some extent models for revision. It is noteworthy that in general Johnson praises Pennant's accuracy, and that on the only occasion where he claimed to have personal knowledge that Pennant was wrong, he linked him with a much less reliable narrator: 'we were at Col under the protection of the young Laird, without any of the distresses, which Mr. Pennant, in a fit of simple credulity, seems to think almost worthy of an elegy by Ossian'.⁸⁰ The use of Ossian in the context of travel-knowledge and his concern for the appropriate subject matter of the Highlands, how to get information, and how to retell it, seems to me a major concern of the *Journey*. Ossian figures as the unreliable (but somehow essentially representative) Highland narrator in a field of the exotic, unknown world north of Inverness. For Johnson this region was as uncharted as

⁷⁸For examples of Pennant's writing in this manner see *Tour 1769*, pp.215, 229, 230, 236-237; *Tour 1772*, pp.196, 206-207, 254, 329-330, 408.

⁷⁹See *Journal of a Tour to the Hebrides*, pp.3, 91, 143, 155, 168, 182, 191, 290.

⁸⁰*Journey*, p.128; Lascelles's note elucidates the reference to Pennant's second *Tour*.

Abyssinia; Boswell's *Journal* records references to the North Pole, Nova Zembla, Arabia, China, Japan, Formosa, Tahiti, Lapland, and of course Patagonia.⁸¹ Johnson draws comparisons with Homeric locations, Norway, Russia, Biscay, Dalecarlia and the Red Sea, while Eskimos and Hottentots provide analogies.⁸² But primarily this was a region of uncharted knowledge; 'we saw in every place, what we chiefly desired to know, the manners of the people'; the anthropological expedition resulted in a book in which 'I have told the world a great deal that they did not know before':

To the southern inhabitants of Scotland, the state of the mountains and islands is equally unknown with that of Borneo or Sumatra: Of both they have heard only a little, and guess the rest.⁸³

This was the context within which the travel-wonder Ossian was investigated, used, and exposed.

MacNicol was able to analyse the *Journey* as if almost every line was a hit at Ossian.⁸⁴ Certainly the antagonism is at a very basic, integral level in the tour itself. Macpherson had made two tours, financed by a fund to which Boswell contributed, and much of his route was

⁸¹*Journal of a Tour to the Hebrides*, pp.3-4, 92, 168, 208, 291, 320, 322, 379, 383.

⁸²See *Journey*, pp.19, 20, 28, 33, 44, 48, 61, 66-68, 76, 88, 96, 101, 119, 139, 151.

⁸³*Journey*, pp.54, 88; Boswell, *Life of Johnson*, III, 326.

⁸⁴See *Remarks on Johnson's Journey* (1779), pp.10-11, 242, 345.

re-covered in Johnson's itinerary.⁸⁵ Yet with the exception of Boswell's trip (without Johnson) to drink at Cuchullin's well ('said to have been the favourite spring of that ancient hero'), there is almost no sign that any of the Ossianic sites were covered. Boswell refers loosely to 'the country of Morvern' and they pass close to Staffa. Unable to land, another specimen of the rock formation is offered to the unimpressed Boswell at Ardtun (Mull); but of Fingal, no sign. Apparently of more interest was the financial predicament of their host on Ulva, Lachlan MacGuarie, the owner of Staffa. Nearby was Iona, a place of true history and piety.⁸⁶ Johnson also ignored the Fingalian reference inherent in Staffa, despite alluding to Banks's account, and represented local tradition as non-existent. The living hospitality of Ulva and Inch Kenneth further isolated the barely-habitable Staffa, and one reviewer identified Johnson's priorities in his durable and accurate travel account: 'for their hospitality, the Lairds of Inch Kenneth, Raasay, &c. are amply rewarded, as, though not written in Erse, these elegiums, we prophesy, will survive the works of Ossian'.⁸⁷ Only one site gets into Johnson's record; in a cave on Mull they were shown 'a square stone, called, as

⁸⁵See Saunders, *Macpherson*, pp.90, 117, 147.

⁸⁶See *Journal of a Tour to the Hebrides*, pp.217, 248, 326.

⁸⁷*GM*, XLV (February 1775), pp.83-86; see also January, pp.35-38.

we are told, Fingal's Table'.⁸⁸ (This episode occurs after the section of explicit attack on Ossian, and so appears as a self-evident joke.)

As with sites, so with culture; listening to Gaelic songs, Boswell records pointedly that 'Dr. Johnson said nothing', though he did complain about the lack of translation. He had in any case a way of dealing with any possible connection between these songs and the disputed epic: hearing a girl singing at her spinning wheel, he jokes, 'I'll warrant you...one of the songs of Ossian'.⁸⁹

In the very writing of the *Journey* there is an expulsion, an erasure, of this other, indistinct, amorphous Ossianic utterance. The typical Ossianic scenery is eliminated; for Johnson there are, famously, hardly any trees, and the *Journey* records his displeasure at the Highland landscape:

We were now long enough acquainted with hills and heath to have lost the emotion that they once raised, whether pleasing or painful, and had our mind employed only on our fatigue.⁹⁰

This was the true state of the Highlands. On another occasion, Johnson demonstrates his power to harness the worst weather Scotland has to offer and secure it as a set

⁸⁸*Journey*, p.146; compare *Journal of a Tour to the Hebrides*, p.325, where the stone is not named, but where Johnson is sceptical of tales about it.

⁸⁹*Tour*, pp.85,204,305,308.

⁹⁰*Journey*, p.140.

piece of description.⁹¹ Ossian gave an image of the civil Fingalians in their uncivil environment; Johnson replaces this historical fiction with true examples, setting them in contrast to literary models:

Romance does not often exhibit a scene that strikes the imagination more than this little desert in these depths of western obscurity, occupied not by a gross herdsman, or amphibious fisherman, but by a gentleman and two ladies, or high birth, polished manners, and elegant conversation, who, in a habitation raised not very far above the ground, but furnished with unexpected neatness and convenience, practised all the kindness of hospitality, and refinement of courtesy.⁹²

Again, Ossian was elegiac, and when Boswell found an elegy on Coll's father, Johnson assigned the authorship to 'the ghost of Ossian'; while the *Journey* was being written, Coll himself was drowned, and a true elegy for a true hero of the Islands was inserted: 'Here we had the last embrace of this amiable man, who, while these pages were preparing to attest his virtues, perished in the passage between Ulva and Inch Kenneth'.⁹³

Johnson's comment that 'the phantoms which haunt a desert are want, ^{and} misery, and danger'⁹⁴ would bear comparison with the standard ghostly scene in Ossian, and his attention to the extinction of the Highland population and culture insists on a real historical situation against

⁹¹*Journey*, p.158.

⁹²*Journey*, pp.142-143.

⁹³*Journey*, p.145.

⁹⁴*Journey*, p.41.

the Ossianic pseudo-elegy. But the point of most stress should be the *Journey's* account of itself; the origin of the book is explicitly described following a series of disquisitions on mountainous scenery and the pointed remark 'it is easy to sit at home and conceive rocks and heath, and waterfalls'. Opinionation and literary form are in the forefront, the landscape bears the insignia of human intervention (just as the Highlands needed such an intervention in their historical 'nature'). At length we find:

I sat down on a bank, such as a writer of romance might have delighted to feign. I had indeed no trees to whisper over my head, but a clear rivulet streamed at my feet. The day was calm, the air soft, and all was rudeness, silence, and solitude. Before me, and on either side, were high hills, which by hindering the eye from ranging, forced the mind to find entertainment for itself. Whether I spent the hour well I know not; for here I first conceived thought of this narration.

Let us compare this with the following:

I sit by the mossy fountain; on ^{the} top of the hill of winds. One tree is rustling above me. Dark waves roll over the heath. The lake is troubled below... It is mid-day; but all is silent. Sad are my thoughts as I sit alone.

Or with this:

Evening is grey on the hills. The north wind resounds through the woods. White clouds rise on the sky: the trembling snow descends. The river howls afar, along its winding course. Sad, by a hollow rock, the grey-hair'd

Carryl sat. Dry fern waves over his head; his seat is an aged birch. Clear to the roaring winds he lifts his voice of woe.

These two passages are the openings of II and III of Macpherson's *Fragments*, and represent the typical Ossianic utterance, the text reproducing a spontaneous oral outpouring; the poem is its own record. The impulse to sing arises out of the landscape itself. Johnson, by contrast, introduces his 'narration' by noting its specifically formal features - 'such as a writer of romance might have delighted to feign' - and pointing out that there were 'no trees to whisper over my head' (where Ossian perpetually has 'one tree... rustling above me'). Confronted by the thoroughly un-Augustan prospect, Johnson maintains a classical poise, identifying writing as the work of ease - 'the day was calm, the air soft' - as against the Ossianic howling into storms. The scene is conspicuously ordered into its qualities: 'all was rudeness, silence, solitude'; at the centre sits the reflective philosopher whose mind gives shape to the description. So far from a surging call to sing, the author tenders the inception of his work ('here I first conceived') with a delicate tact and deference towards his readership. The Ossianic address could not be more thoroughly effaced and negated; even as it is originated, written and read, the *Journey* deletes the earlier model.

This much is implicit, absolute, exemplary. We can now see how this is combined with an explicit attack on earlier historiography of the region, which Johnson's account replaces. His assault on Highland culture begins with early detection of false geographical accounts - particularly pernicious in the case of the Aberdonian Boethius whose 'fabulousness and credulity are justly blamed'.⁹⁵ Martin's gullibility is also censured and his account of some ancient remains corrected; Johnson explains how 'the false relations of travellers' commonly arise.⁹⁶ Local information, likewise, is found to be erroneous or incredible; Loch Ness cannot be so deep as it is said to be: 'accuracy of narration is not common'. On Iona, Johnson counsels the traveller to listen to the 'insular antiquary' in 'submissive silence; for if he asks any questions, his delight is at an end'. The place 'has long enjoyed, without any very creditable attestation, the honour of being reputed the cemetery of the Scottish kings... There remains a broken building, which is called the Bishop's house, I know not by what authority'.⁹⁷ The royal myth is explained away.

Johnson appears as the research traveller throughout, eager for information but mistrustful of local legend.⁹⁸

⁹⁵*Journey*, pp.15, 30-31.

⁹⁶*Journey*, pp.1 30-31, 64-65, 103, 147.

⁹⁷*Journey*, p.151.

⁹⁸For examples of Johnson's keenness to gather information and his unwillingness to believe it, see *Journal of a Tour to the Hebrides*, pp.117, 152, 228, 287, 320, 325, 333-335.

He scorns the stories attached to two boulders on Coll as puerile - thus obliquely marginalizing the kind of site-hunting Ossian was favoured with.⁹⁹ On the other hand, he does record a wealth of later traditions, according the period of clan warfare the status of worthwhile history.

Narrations like this, however uncertain, deserve the notice of a traveller, because they are the only records of a nation that has no historians, and afford the most genuine representation of the life and character of the ancient Highlanders.¹⁰⁰

The traveller becomes historian, wresting narrative from the oral (Ossianic) mode and preserving it a formal, personally-guaranteed text. Several times Johnson hits at the unwritten record; edifices and arrowheads form pointers more distinct than local tradition to tell of 'ancient life' and 'former manners'; but 'in nations, where there is hardly the use of letters, what is once out of sight is lost for ever'.¹⁰¹ Tradition is without authoritative integrity; the grasp that Johnson achieves over such material is partly manufactured out of a criticism of its vulnerability. On Coll he finds 'the scene of an action, much celebrated in the traditional history of Col, but which probably no two relators will tell alike'; Johnson's summary, lucid, balanced,

⁹⁹*Journey*, pp.125-126.

¹⁰⁰*Journey*, p.50.

¹⁰¹*Journey*, pp.63, 65, 70, 73-74, 161.

reflective, restores the history to an unambiguous unit, editing local variants into record. Such a process is made a general case; relating the history of a treaty, he writes 'this story, like all other traditions of the Highlands, is variously related, but though some of the circumstances are uncertain, the principal fact is true'. And it is to be found, succinctly told and explained, in Johnson's words. As the reviewer remarked, 'whatever he saw, whatever he^{has} described, will now be perpetuated'.¹⁰²

The standing objection to Ossian was that local tradition could not have preserved such a corpus intact over fourteen centuries. Johnson confidently historicizes tradition by securing it in prose, and further snubs Ossian by ignoring early myth and concentrating on the clan period. Furthermore, the instability of tradition has observable form in the radically unfixed nature of contemporary local information. Johnson would not be convinced that sand was encroaching on Coll:

I am not of opinion, that by any surveys or landmarks, its limits have been ever fixed, or its progression ascertained. If one man has confidence^{enough} to say, that it advances, nobody can bring any proof to support him in denying it.¹⁰³

The 'veracity of common fame' is low; the possibility of restatement and development in oral culture becomes a

¹⁰² *Journey*, pp.123, 133-134; *GM*, XLV (February 1775), p.86.

¹⁰³ *Journey*, p.125; compare *Journal of a Tour to the Hebrides*, p.287.

finite issue of truth. Many false relations are disgraced in Johnson's book.¹⁰⁴ An early 'specimen of Highland information' was the discrepancy between two accounts of brogue-making; but this is only introductory.

Many of my subsequent inquiries upon more interesting topics ended in the like uncertainty. He that travels in the Highlands may easily saturate his soul with intelligence, if he will acquiesce in the first account. The Highlander gives to every question an answer so prompt and peremptory, that skepticism itself is dared into silence, and the mind sinks before the bold reporter in unresisting credulity; but, if a second question be ventured, it breaks the enchantment; for it is immediately discovered, that what was told so confidently was told at hazard, and that such fearlessness of assertion was either the sport of negligence, or the refuge of ignorance.¹⁰⁵

Naturally this demotes oral history - 'the traditions of an ignorant and savage people have been for ages negligently heard, and unskilfully related' - and makes the traveller's function more necessary as it makes it more difficult.

It were enough, if what there is yet opportunity of examining were accurately inspected, and justly represented; but such is the laxity of Highland conversation, that the inquirer is kept in continual suspense, and by a kind of intellectual retrogradation, knows less as he hears more.¹⁰⁶

This attack on the mode in which a culture conveys its information finds its culmination in the section on

¹⁰⁴*Journey*, pp.74, 96, 102, 132, 148.

¹⁰⁵*Journey*, pp.50-51.

¹⁰⁶*Journey*, p.51.

Ossian. Yet here too there is careful preparation, a Socratic gradation of proposition, grafting the rejection of Ossian onto this general cultural failure. The section headed 'Ostig in Skye' gives a more than usually pessimistic view of the failure of oral information.

As there subsists no longer in the Islands much of that peculiar and discriminative form of life, of which the idea had delighted our imagination, we were willing to listen to such accounts of past times as would be given us. But we soon found what memorials were to be expected from an illiterate people...

The life of poverty is incompatible with any sort of historical knowledge:

one generation of ignorance effaces the whole series of unwritten history. Books are faithful repositories, which may be a while neglected or forgotten; but when they are opened again, will again impart their instruction: memory, once interrupted, is not to be recalled.¹⁰⁷

Johnson had heard that 'much of the local history was preserved by ^{the} bards' - they were also said to be the preservers of Ossianic poetry, of course - and declares 'after these bards were some of my first inquiries'. Here we face a narration concerning a narrator - the history of the preserver of history. Johnson receives three variant accounts and concludes that bard and historian were not to be found. This indicates that nothing remains, for 'in

¹⁰⁷ *Journey*, pp.110-111.

those times nothing had been written in the Earse language'; of the works involved 'it would be vain to inquire'. That inventiveness was in any case the chief characteristic of the bards is suggested by the familiar description of their function as genealogical flatterers; they lay under 'no danger of detection' and might easily obtrude 'fictitious pedigrees,^{either} to please their masters, or to hide the deficiency of their own memories'.

After the withering comment 'thus hopeless are all attempts to find any traces of Highland learning', Johnson gives an exemplary view of the history of feudal customs, ancient weapons and funerals - showing how it should be done. Next follows a philosophical onslaught on the medium of Highland information - 'Earse'. In common with most travellers Johnson notes some Gaelic words or etymologies, and claims to have listened to Gaelic songs 'as an English audience to an Italian opera, delighted with the sound of words which I did not understand'.¹⁰⁸ But in this section, a veiled swipe at Ossian indicates a deep antagonism. Erse was

the rude speech of a barbarous people, who had few thoughts to express, and were content, as they conceived grossly, to be grossly understood. After what has been lately talked of Highland bards, and Highland genius, many will startle when they are told, that the Earse never was a written language; that there is not in the world an Earse manuscript a hundred years old; and that the sounds of the Highlanders were never expressed by letters, till

¹⁰⁸ *Journey*, pp.19, 25, 55, 59, 111, 127, 137.

some little books of piety were translated, and a metrical version of the Psalms was made by the Synod of Argyle.¹⁰⁹

The instability of narrative is rooted in the instability of the tongue itself. Welsh and Irish were 'cultivated tongues', but Gaelic was purely oral; books produce permanence, embodying psychological improvements and progressive codes of erudition. The differing dialects of Gaelic ensured parochialism and spiralling ignorance; the psalm book on the other hand stood as a true source, a printed/scriptural monument.

Johnson was well known as a supporter of 'authentic' Gaelic texts, helping to get the Bible translated into Gaelic, pointing out the futility of forcing English on Highlanders, and sending 'Erse' books to the Bodleian. He helped Shaw market his Gaelic grammars.¹¹⁰ But the standard of English literacy espoused by the grammarian and lexicographer are rootedly opposed to the oral culture

¹⁰⁹*Journey*, pp.114-115.

¹¹⁰See *Journal of a Tour to the Hebrides*, pp.186, 368; *Journey*, p.103; letters to William Drummond, 13 August 1766 and 21 April 1767, to Boswell, 1 October 1774, to Philip Fisher, 7 June 1775, *Letters of Johnson*, I, 187-188, 194-195, 413, II, 41; and L. F. Powell, 'Samuel Johnson: an early "Friend of the Bodleian"', *Bodleian Quarterly*, 59 (December 1928), pp.280-281. Many of Johnson's friends subscribed to Shaw's *An Analysis of the Galic Language* (1778) and to his *Galic and English Dictionary*, 2 vols (1780); see *Analysis*, p.xxii, for acknowledgement of Johnson's help, and Boswell, *Life of Johnson*, III, 107. See also Charles O'Connor, *Dissertations*, pp.iv-v, and Johnson to O'Connor, 9 April 1757, *Letters of Johnson*, I, 101-2. Incidentally, Shaw's *Analysis* contains many positive references to Ossian, and Drummond's bookshop, where Johnson had his mail sent, used Ossian's head as a sign; see Johnson to Mrs. Thrale, 12 August 1773, *Letters of Johnson*, I, 318.

under examination; Johnson writes of 'the antipathy between their language and literature', and dismisses any claim to worthwhile poetry composed by men who 'cannot read'.¹¹¹

The focus narrows, the themes combine, and the latent subject of criti^{ci}sm is gradually revealed within a context which must destroy it.

I believe there cannot be recovered, in the whole Earse language, five hundred lines of which there is any evidence to prove them a hundred years old. Yet I hear^{that} the father of Ossian boasts of two chest^{more} of ancient poetry, which he suppresses, because they are too good for the English.¹¹²

Even here there must be one final negation of the local, fictional information, evidence of an evidence-free culture:

He that goes into the Highlands with a mind naturally acquiescent, and a credulity eager for wonders, may come back with an opinion very different from mine; for the inhabitants knowing the ignorance of all strangers in their language and antiquities, perhaps are not very scrupulous adherents to truth... I do not say that they deliberately speak studied falsehood, or have a settled purpose to deceive... They are not much accustomed to be interrogated by others; and seem never to have thought upon interrogating themselves; so that if they do not know what they tell to be true, they likewise do not distinctly perceive it to be false.¹¹³

¹¹¹Journey, p.116; compare his remarks about St. Kildan poetry, *Journal of a Tour to the Hebrides*, p.189. Martin praised the poetry of the islanders; *Description of the Western Islands*, pp.200, 285.

¹¹²Journey, pp.116-117; note the 'father of Ossian'.

¹¹³Journey, p.117.

Johnson had had some trouble with statements about Gaelic bibles and manuscripts, which Boswell traced back to misunderstandings. His syntax mocks the disappearance of these travel-wonders:

We were a while told, that they had an old translation of the scriptures; and told it till it would appear obstinacy to inquire again. Yet by continued accumulation of questions we found, that the translation meant, if any meaning there were, was nothing else than the Irish Bible. We heard of manuscripts that were, or ^{that} had been in the hands of somebody's father, or grandfather; but at last we had no reason to believe they were other than Irish.¹¹⁴

Martin is quoted as pre-Ossianic authority.

It is the mention of manuscripts, the chief and final commodity of proof, which ushers in the actual denunciation of Ossian. Just as Macpherson demolished Irish tradition, re-writing it as a Gaelic one, before producing an Ossian to confirm it, Johnson first tears down the whole Gaelic fabric, discrediting poetic quality, medium, character, transmission and local veracity, before Ossian - 'I suppose my opinion of the poems... is already discovered' - is finally introduced. We have already seen something of the actual argument - the demand for manuscript proof, the dismissal of such proof as a travel-wonder; however, in keeping with the experimental and

¹¹⁴*Journey*, p.117; compare *Journal of a Tour to the Hebrides*, pp.122-123, 232.

historical nature of his project, Johnson also provides an alternative history of how Ossian came to be:

He has doubtless inserted some names that circulate in popular stories, and may have translated some wandering ballads, if any can be found; and the names, and some of the images being recollected, make an inaccurate auditor imagine, by the help of Caledonian bigotry, that he has formerly heard the whole... They remember names, and perhaps some proverbial sentiments; and, having no distinct ideas, coin a resemblance without an original.¹¹⁵

Ossian is explained away, and belief in Ossian too, as some phenomenal subject of travel-inquiry.

Credulity on one part is a strong temptation to deceit on the other... A Scotchman must be a very sturdy moralist, who does not love Scotland better than truth; he will always love it better than inquiry; and if falsehood flatters his vanity, will not be very diligent to detect it.¹¹⁶

This travel-anthropology identifies, describes and makes historical the whole Ossianic saga - from source, inception and forgery to testimony and forgery of evidence - as the true product of the surviving original bardic character. The discursive attack on Ossian, with its legal style and its sceptical discovery of travel-lies, grows from a self-consciously literate display in which denial of the Gaelic offering is implicit; Johnson

¹¹⁵Journey, p.118; compare Burke's story about Irish reactions in Hume to Blair, 19 September 1763, *Letters of Hume*, I, 398-401.

¹¹⁶Journey, p.119.

completes the project with another show of style, a series of balances demonstratively twinning some eminent travel-fictions:

But this is the age in which those who could not read, have been supposed to write; in which the giants of antiquated romance have been exhibited as realities. If we know little of the ancient Highlanders, let us not fill the vacuity with Ossian. If we have not searched the Magellanick regions, let us however forbear to people them with Patagons.

CHAPTER 5: THE MANY LIVES OF DOCTOR DODD

a: Forgery

According to Stephen Roe, a forger can never hope to elude the detection which Providence assures to those who subvert the marks of individual identity; the crime will 'once for all appear... like the *hand-writing* at *Belshazzar's* feast, denouncing a sure and sudden vengeance ready to fall upon you...'.¹ Ward had been found out by evident 'razures' in the receipt he had altered. In the case of Dr William Dodd, Providence (so the judge opined) was to be discerned in 'a very remarkable blot in the letter (e) in the word seven':

it did not appear... to be the effect of chance, but the act of a pen, dotted in hair-strokes in a particular manner, as if done by design.²

This alerted a solicitor, and detection and arrest followed at once. As one paper put it, 'let him who shall hereafter hesitate on a Forgery remember that Death follows the stroke of the Pen, and that his Blood will be spilt with the Ink!'³ Forgery always preserved a certain

¹Roe, *The Ordinary of Newgate's Account of John Ayliffe*, p.19.

²OBSP, 19 February 1777, p.112, and *A Full and Circumstantial Trial of the Rev. Dr. Dodd* (1777), pp.16-17, 36. Blots were operative in the trial of the Perreau brothers: OBSP December 1775, p.15. Other cases used watermarks as criteria of detection: *Authentic Memoirs of William Wynne Ryland* (1784), p.25; OBSP, 11-24 September 1771, pp.463-464. For a note on evidence at forgery trials see Shapiro, *Probability and Certainty*, p.187.

³*The Public Advertiser*, 28 June 1777; *The Sentimental Magazine*, V (June 1777), p.295.

internality: the same document was both weapon for gaining money and chief prosecution exhibit, to be denied by the named signator and proved upon the prisoner. The paper writing constituted evidence in both economic and criminal transactions, and this reflexivity indicated the paradoxical reinforcement that forgery lent to the category of authenticity: the document was always genuine evidence.

To this extent there is an underlying unity in the cases of Ward and Dodd. Yet the fifty years that separate Ward's appearance in the pillory from Dodd's at Tyburn show extensive changes, and we must begin with an outline of these. Dodd was prosecuted under the statute of 1729, but many had been passed since. Forgery of bills of exchange, Exchequer bills, marriage registers, corporation documents, passports and seamen's tickets now entailed the highest penalty.⁴ In 1769 Blackstone commented that the special provisions were 'so multiplied of late as almost to become general... there is now hardly a case possible to be conceived, wherein forgery, that tends to defraud, whether in the name of a real or fictitious person, is not made a capital crime'.⁵ But before Dodd was hanged, another half dozen offences were defined.

⁴See Radzinowicz, *History of English Criminal Law*, I, 642-650; for comments on Dodd see 450-472.

⁵Sir William Blackstone, *Commentaries on the Laws of England*, tenth edition, 4 vols (1787), IV, 247-250; compare his attitude at pp.9, 13. See also William Eden, *Principles of Penal Law* (1771), pp.270-271.

Radzinowicz associates Dodd's case with the liberalization of penal theory. Statistics were by this time available to show that forgers were less likely to be reprieved than any convicts other than murderers, and John Howard, who quoted Janssen's tables, also noted an alternative punishment for the crime.⁶ Even *The Malefactor's Register*, hardly the most progressive of texts, commented on the typical refinement of forgers:

Forgerers [sic] are seldom among the low and abandoned part of mankind. Forgery is very often the last dreadful refuge to which the distressed tradesman flies. These people then are sensible of shame, and perpetual infamy would be abundantly more terrible ^{to such men} than the mere dread of death.⁷

Howson brings out the immediate use of the controversy about Dodd in the campaign for reform.⁸

Nonetheless, the flow of legislation was undiminished. The next twenty years saw acts defining forgery of lottery tickets, documents relating to annuities, loans and other transfers, and so on. In 1796, however, Patrick Colquhoun

⁶Howard, *The State of the Prisons*, edited by Kenneth Rush (1929), pp.290, 95. In Janssen's analysis, of 95 forgers convicted at the Old Bailey between 1741 and 1771, 71 were executed; murderers rated 72 out of 81. For alternative punishments see also Henry Dagge, *Considerations on Criminal Law* (1772), p. 418.

⁷*The Malefactor's Register; or, The Newgate and Tyburn Calendar*, 5 vols (1779), I, vii. See also Manasseh Dawes, *An Essay on Crimes and Punishments* (1782), pp.112-116; and the anonymous *Observations on a Late Publication, Intituled, Thoughts on Executive Justice* (1786), pp.70-77.

⁸Gerald Howson, *The Macaroni Parson: A Life of the Unfortunate Dr Dodd* (1973), pp. 181-192, 225-229.

contended that the laws had still failed to keep pace with the increase in commerce which engendered forgery and fraud, though he conceded that 'forgeries of the higher class' had been checked.⁹ Still the statutes were churned out; not until 1830 was the multiplicity of statutes unravelled and streamlined, and even then some kinds of forgery remained capital at the personal insistence of Peel.¹⁰

Between June 1729, when the law discussed in Chapter One took effect, and February 1777, when Dodd stood in the dock, 302 people were indicted for forgery at the Old Bailey; of these 130 were convicted. In terms of the percentage of total indictments, the rate for forgery was actually falling when Dodd was tried; forgery was being overtaken by coinage offences and other frauds. However, the spectacular case of the Perreau twins and the eternally-fascinating Mrs Rudd was still fresh in memory; their trials (also for forgery of bonds, of the same order of value as Dodd's) had resulted in a bitter pamphlet war which did not end with the execution of the brothers in January 1776. There was serious doubt about legal proceedings against Mrs Rudd and about the guilt of Robert

⁹Colquhoun, *Treatise of the Police of the Metropolis* (1796), pp.106-139. See also Radzinowicz, *History of English Criminal Law*, III, 216, 241, 253-254.

¹⁰See Rudé, *Criminal and Victim*, p.107. The death penalty for forgery was finally abolished in 1837: Holdsworth, *History of English Law*, XV, 163, and XIII, 226, 263, 284, 400-402; Radzinowicz, *History of English Criminal Law*, I, 263-264.

Perreau, on whose behalf a respectable petition was presented. But the role of forgery as a support to stock-market gambling and keeping a mistress was highlighted, and the depth and durability of the fraud did nothing to reassure the merchant classes.¹¹

Much was made of the necessity of capital punishment in these cases. In 1763 Adam Smith argued:

The natural punishment of the *dolus malus* is not death, but some sort of ignominy such as the pillory. Some frauds, however, on account of the facility and security with which they may be committed, and the loss which they occasion, are justly subjected to capital punishment... Forgery is... punished capitally, and nobody complains that this punishment is too severe, because while contracts sustain action property ^{can} never be secure unless the forging of false ones be restrained.

John Holliday, commenting on the case of Dodd, put it more simply: 'forgery is a stab to commerce, and only to be tolerated in a commercial nation when the foul crime of murder is pardoned'. In 1767 a 'Society for Prosecuting Felons and Forgers' had been set up by tradesmen to highlight and correct the same dangers; a similar group was in the papers while Dodd was in prison. Even so, it

¹¹For the trials see *OBSP* 1-6 June 1775, p.210, 13-19 September 1775, p.493, and 6 December 1775, p.3; for further material see Appendix One.

was lamented, forgery was rampant.¹²

This 'commercial' doctrine appears in almost every forger's trial, biography and last dying speech. Beneath it, however, the deeper association with personal honesty and identity still held good.¹³ Colquhoun's chapter on forgery virtually ignores the major offences and concentrates on twenty-one classes of 'petty' forgery - the swindles and frauds practised by hawkers, pawnbrokers, auctioneers, bill-brokers, receivers and traders in general: a whole black economy operating through forgery at a social as well as an economic level. False credit is obtained through impersonation; smugglers are adept at putting off forgeries; here was a culture of personal fraud masquerading as trade.¹⁴ There was still a very strong tradition of the forger as rogue; in 1772 James Bolland was hanged for forging a signature on a promissory

¹²Smith, *Lectures on Justice, Police, Revenue and Arms*, edited by Edward Cannon (Oxford, 1896), pp.149-150; Holliday, *The Life of Lord Mansfield* (1797), p.149; for societies against forgers see Rudé, *Criminal and Victim*, p.95; *Public Advertiser*, 20 March 1777, *Morning Chronicle*, 17 and 27 June 1777, *Observations on the Trial of Mr. Robt. Perreau* (1775), p.38. Others who supported the penalties were William Paley, *Principles of Moral and Political Philosophy* (1786), p.538, and Sir William Mildmay, *The Laws and Policy of England, Relating to Trade, Examined* (1765), p.123. For comments on the increase in forgers see *The Penny London Post*, 4-6 March 1751, and *The True Genuine Lives, and Trials, &c. of the Two Unfortunate Brothers, Robert and Daniel Perreau* [1776?], p.4.

¹³See for example the statutes 31 Geo. 2 c. 10 s. 24, and c. 22 s. 77-78; 3 Geo. 3 c. 16 s. 6; 4 Geo. 3 c. 25; 29 Geo. 3 c. 41 s. 36.

¹⁴Colquhoun, *Treatise*, pp.106-139. See also *A Plan for the Consideration of Parliament; With most necessary Instructions for the Trading Part of the Community, against the various Frauds daily committing by that pernicious Set of Men called SWINDLERS* (1781), and *The Swindler Detected: Or Cautions to the Public* (1781).

note of £100, and his *Memoirs* commemorate this act as the culmination of a career very much in the mould of Japhet Crook. A swaggering picaro is revealed, ever on the make, in and out of jail; 'numberless pranks' are so many episodes in a novel illustrating his 'genius for roguery'. His defrauded victims die of broken hearts or go insane, while bribery brings him ever more prominent office. Finally Wilkes denounces him - 'thus was our poor hero quite in the suds' - and, at the very end, he is arrested for forgery.¹⁵ Several other forgers were given the same treatment: Joshua Crompton, whose arrest for forgery of banknotes took place while Dodd was under confinement, was said to have learned the trade from 'his arch-mentor, Jemmy Bolland', while the 'social monster', 'arch impostor' and 'most consummate Adept in Deception' Charles Price became a legend for his eye-patch disguise, used in putting off forged banknotes.¹⁶ Bernard Fournier, George Weston, Thomas Sayers and Benjamin Stratford all come in this category, while the case of John Ayliffe is a more serious version of the same essential narrative.¹⁷

¹⁵*Memoirs of James Bolland*, second edition (1772).

¹⁶See *Memoirs of a Social Monster; or, the History of Charles Price* (1786), *The Life of that Extraordinary Character, Mr Charles Price* (1786), *An Authentic Account of Forgeries and Frauds of Various Kinds Committed by ... Charles Price* (1786); *Genuine Memoirs of the Life of Joshua Crompton* (1778), p.16.

¹⁷See Benjamin Hoadly, *A Letter from the Lord Bishop of Winchester, to Clement Chevallier, Esq* (1757); *Genuine Memoirs of the Lives of George and Joseph Weston*, fourth edition (1782); *Parish Corruption in Part Display'd* (1740); and *The Life of the Celebrated Benj. Stratford* (Guildford, 1766).

But new possibilities were now available; a case which just preceded that of Dodd yielded dramatic fruit in *A Short and Authentic Account of the Particular Circumstances of the last twenty-four hours of the Life and Death of William Davies*. The crime in question was forgery of India Warrants, for which Davies was executed on 11 December 1776. This pamphlet, written by a clergyman for the benefit of the convict's family, emphasizes the death as the centre-piece of individual suffering - 'the last twenty-four hours' - and contains a view of his tears, prayers, conversion and hymn-singing. The crime is a barely-mentioned tragic error; general good character is stressed. Publicity could now give an account of the forger as tragic hero. Samuel Orton and William Wynne Ryland were similarly regarded as 'unfortunate', and John Osborn Dawson was treated to a sermon which privileged his sufferings and conversion over his crime.¹⁸ Contradictory images could co-exist; *An Authentic Account of the Life and Memoirs of Mr William Smith, an Unfortunate Convict*, (1750) detailed the forger's melancholy and pathetic speeches, his emotive petitions and pious poetry, while another pamphlet denounced *The Deceitful Irishman, and Artful Cheat; Being the Whole Life and Remarkable Robberies and Forgeries*,

¹⁸On Orton see *A True and Genuine Account, &c* (British Library, 578.e.21, no title page); on Ryland see *Authentic Memoirs of William Wynne Ryland* (1784); for Dawson see William Maurice, *Mercy Triumphant* (1800).

Committed by William Smith (1750). Francis Fonton, a bank clerk turned forger, was remembered for his 'duplicity, frauds, and forgeries' on the one hand, while a clergyman preached of his assurance of salvation on the other: 'he found his cell a palace, because he there enjoyed the compassionate smiles of his Redeemer'.¹⁹

The most obvious difference between the cases of Ward and Dodd, one which conforms to this general pattern, is the reversal of the roles played by the leading writers of the day. Pope persecuted Ward in print and in practice; only Ned Ward showed any interest in the forger's sufferings. Johnson wrote begging letters to noblemen to try to win a reprieve for Dodd; here the calls for punishment were in a minority. Let us look more closely at this situation.

Johnson was in a somewhat ambivalent position, and his biographers clashed in their assessments of his activity. Some saw his intervention as proof of Johnson's benevolence, while Francis Blackburne, who attacked Johnson over Lauder, excoriated his meddlesome vanity here.²⁰ Hawkins, himself a magistrate, regarded Dodd as

¹⁹*Genuine and Impartial Memoirs of Francis Fonton* (1790), and William Love, *The Ability of Jesus Christ to save Sinners* (1790), p.48; again the sermon was printed for the benefit of the widow and orphans. For the significance of these duple narratives in general, see Faller, *Turned to Account*, pp. 6-51.

²⁰See Thomas Tyers, *Biographical Sketch of Dr. Samuel Johnson*, in *Johnsonian Miscellanies*, II, 335-381, at p.362; Anderson, *Life of Johnson*, pp.363-369; Blackburne, *Remarks of Dr. Johnson's Life of Milton* (1780) pp.154-160. Arthur Murphy defended Johnson; see *An Essay on Johnson's Life and Genius*, in *Johnsonian Miscellanies*, I, 353-488, at 486-487.

an artful impostor, the whole issue of 'humanity' as fashionable humbug, and Johnson's compassion as indiscriminate. The classical scholar Richard Porson attacked this version in turn, sneering at 'Sir John's proofs that every prisoner ought to be convicted, and every convict hanged'. Sir John was no better than Dodd, and his text equally corrupt:

In this age, which is so sharp-sighted in detecting forgery, I may perhaps be carried away by the prevailing rage; but I cannot help thinking, that the whole addition in pages 585-6 is spurious, and did not proceed from the pen of Sir John Hawkins.²¹

Boswell's detailed analysis is decidedly on the humanitarian side.²²

Johnson's involvement with the law was extensive.²³ Boswell had asked him for papers on literary property, slavery, and 'vicious intromission' - in Scots law, a kind of fraudulent execution of a will. He had defended Baretti in court and Savage on paper.²⁴ He found clipped and counterfeit coins in his pocket, but the counterfeiter in his story is fairly tame, and in 1778 he could joke

²¹Quoted in *Johnsonian Miscellanies*, II, 83, 131.

²²See *Life of Johnson*, III, 139-148. The most detailed modern narrative of Johnson's involvement with Dodd is in Howson, *The Macaroni Parson*, pp.173-181, 187-215.

²³See in general E. L. Macadam Jnr., *Dr Johnson and the English Law* (Syracuse, 1951).

²⁴*Life of Johnson*, I, 394-396, 470-476, II, 74; *Johnson's Life of Savage*, edited by Clarence Tracy (Oxford, 1971), especially p. 38.

about forgery.²⁵ Yet in executing the will of Robert Levet he demanded firm 'proof' from claimants and in advising John Taylor scented possible forgery:

The copy of the Will is so worn, that it is troublesome to open it, and has no attestation to evince its authenticity. The extract is, I think, in Mr. Flint's own hand, and has not therefore any legal credibility.²⁶

He had been asked for help by Joseph Fowke, convicted of conspiracy against Richard Barwell in 1776, and had prepared a 'narrative' for the press; but when Nuncomar, the co-conspirator, was hanged in 1783 for forgery (it was alleged that the prosecution was merely political) he could only declare: 'it was not fit for me to move a question in public, which I was not qualified to discuss'.²⁷

Nonetheless Johnson had written critically of the excessive and ineffective use of harsh debt laws and the death penalty. In *The Rambler*, no.114 (20 April 1751) he

²⁵See *Yale Johnson*, I, 326-327; *Rambler*, no.161, (10 October 1751); Boswell, *Life of Johnson*, III, 238.

²⁶Johnson to Charles Patrick, 14 February 1782, and to Taylor, 30 October 1782; *Letters of Johnson*, II, 461, 508. The comparison with arguments against Ossian should be clear.

²⁷To Francis Fowke, 11 July 1776, and to Joseph Fowke, 19 April 1783, *Letters of Johnson*, II, 147-148 and III, 15. See also Johnson to Robert Chambers, 31 October 1779 and 19 April 1783, *ibid.* II, 317, III, 19; and Thomas Barnard to Boswell, c.28 February 1788, *Correspondence with certain Members of the Club*, p.261. On Nuncomar see *A Narrative of Facts leading to the TRIALS of Maha Raja Nundocomar and Thomas Fowke for Conspiracies against Governor Hastings and Richard Barwell* (1776); and *The Trial of Maha Raja Nundocomar, Bahader, for FORGERY* (1776).

had produced a classic reformist text, arguing with studied moderation against the introduction of 'more horrid, lingering and terrific punishments' and in favour of 'relaxations of the law, and a more rational and equitable adaptation of penalties to offences'. Here compassion was a force to be reckoned with:

The learned, the judicious, the pious Boerhaave relates, that he never saw a criminal dragged to execution without asking himself, "Who knows whether this man is not less culpable than me?" On the days when the prisons of this city are emptied into the grave, let every spectator of the dreadful procession put the same question to his own heart.

'The common sensations of mankind' pleaded in favour of all but murderers; and compassion was justified. The same case was less powerfully urged in a sermon, which however excepted two cases: one of fraud, the other of perjury.²⁸

In *The Rambler*, no.131 (18 June 1751) he had declared:

It is impossible to see the long scrolls in which every contract is included, with all their appendages of seals and attestation, without wondering at the depravity of those beings, who must be restrained from violation of promise by such formal and publick evidences...

Fraud is further singled out in another sermon as more deeply pernicious than robbery.²⁹

²⁸Sermon no. 26, *Yale Johnson*, XIV, 278-279.

²⁹Sermon no. 18, *Yale Johnson*, XIV, 196-199.

Forgery proper had been dealt with in the law lectures which Johnson co-wrote with Robert Chambers, later one of Nuncomar's judges (reported as disapproving of the death penalty for forgery in Bengal). Noting the power of forgery to subvert all claims and issues, Johnson emphasizes the precarious nature of economic trust:

This is a crime which the present state of the commercial world makes particularly dangerous. The greater part of all moveable property is now wandering in bills, round land and sea, and stands wholly upon the faith of paper. If this faith should by frequent and successful forgery become suspicious and uncertain the traffic of mankind must stop, and the wealth of thousands be annihilated.

He commented on the laws in force, 'upon these acts many have been tried and many have been executed, yet it may be feared that more will be tempted... to practice a mode of deceit so easy in the attempt and so gainful if it succeeds'.³⁰ As well as this prophecy, Johnson had warned against unjust pardons, quoting Sir Matthew Hale: 'let me remember, when I find myself inclined to pity a criminal, that there is likewise a pity due to the country'.³¹ His opinion of Dodd's talents was nothing too favourable, and he was reputed to have said that in the King's place, he would have signed Dodd's death warrant.³² Johnson's wider

³⁰Quoted by Mc Adam, *Dr. Johnson and the English Law*, pp.112-113.

³¹*The Rambler*, no.60 (13 October 1750); compare no.81 (25 December 1750).

³²For this aspect see Hawkins, *Life of Johnson*, p.435; Boswell, *Life of Johnson*, IV, 248, 281; *Johnsonian Miscellanies*, II, 418.

involvement with the theory of law enforcement, as well as the ambiguous status of forgery as a crime, complicated his marginal knowledge of Dodd.

According to Boswell, Dodd appealed to Johnson through the medium of Lady Harrington, whose letter was conveyed by the printer Edmund Allen (who was also Johnson's friend and landlord).

Mr. Allen told me that he carried Lady Harrington's letter to Johnson, that Johnson read it walking up and down his chamber, and seemed much agitated, after which he said, 'I will do what I can;' - and certainly he did make extraordinary exertions.³³

Dodd had been convicted on 22 February 1777, but sentence was delayed for consideration of a technical point. Johnson's first recorded 'exertion' was the speech Dodd made before being sentenced on 15 May. He continued by drafting a petition from the Common Council of the City of London, a petition from Dodd's brother, one from his wife, and a further example subscribed by 'Gentlemen, Merchants, and Traders, inhabitants of London, Westminster, and the Borough of Southwark'. He also drafted letters to Lord Bathurst and Lord Mansfield, and a letter to the king. Two days before Dodd's execution he had the final petition printed with his own observations in the papers. In his own name he wrote to Chamier and Jenkinson, and to Lady

³³*Life of Johnson*, III, 141.

Harrington. He discussed the case with friends, and kept up a comforting correspondence with Dodd himself, though he could not bear to visit him.³⁴ In addition he wrote a sermon for Dodd to deliver at the chapel in Newgate, and corrected his 'dying declaration'³⁵.

The arguments Johnson used say little about the crime, beyond tentatively claiming 'I did not intend^{to be} finally 'fraudulent'; as with Lauder, the first step must be total confession: 'I acknowledge, my Lord, the atrociousness of my crime; I admit the truth of the verdict that condemned me... I have offended; I am penitent'.³⁶ Such an attitude was even more prominent in *The Convict's Address*, in which Dodd was made to exhort his fellow-convicts to confess, to repent of their crimes, to forgive the prosecution, to repair the injury done to society and 'unravel' the details, and to sustain public confidence in the judicial process. In private, Johnson could write to Dodd 'be comforted: your crime, morally or religiously

³⁴The public documents are listed in Howson, *Macaroni Parson*, pp. 241-251. The speech was printed as *Dr. Dodd's SPEECH, which he delivered to the Judge, before he received Sentence of Death* (1777). Much of the behind-the-scenes correspondence was copied by Allen and edited by R. W. Chapman as *Papers Written by Dr. Johnson and Dr. Dodd in 1777* (Oxford, 1926): see pp.13-14 for Chamier to Johnson, 17 June, and Johnson to Allen of the same date. The letters to Jenkinson (20 June) and the Countess of Harrington (25 June) are in Boswell, *Life of Johnson*, III, 145-146, and *Letters of Johnson*, II, 178-179. See also Mrs. Thrale to Johnson, 17 May 1777, and Johnson to Taylor, 19 May 1777, *ibid.* 172, 174.

³⁵*The Convict's Address to His Unhappy Brethren* (several editions, 1777); the declaration is discussed below.

³⁶*Dr. Dodd's SPEECH*, and Dodd (Johnson) to Mansfield, 11 June, Howson, *Macaroni Parson*, p. 244.

considered, has no very deep dye of turpitude. It corrupted no man's principles; it attacked no man's life. It involved only a temporary and reparable injury...'; but in public Dodd must be seen to acknowledge guilt in the terms allotted by the state.³⁷ Beyond this, Dodd can claim his past: 'to an act now waiting the decision of vindictive justice, I will not presume to oppose the counterbalance of thirty years... passed in exciting and exercising charity; in relieving such distress as I now feel; in administering those consolations which I now want!'.³⁸ Johnson of course does presume to counterbalance Dodd's crime by his charities and ministry, both in this speech and in the petitions, and Dodd's crime is clearly in the tragic rather than the rogue list: when the petitioners 'consider his past life, they are willing to suppose his late crime to have been not the consequence of habitual depravity, but the suggestion of some sudden and violent temptation'.³⁹ There was a danger to religion in the spectacle of a clergyman publicly executed; some consideration ought to be given to the 'public voice'. Most of all, punishment did not have to mean death: Dodd could be more use to society as a living example of repentance.

³⁷Johnson to Dodd, 26 June 1777, in Boswell, *Life of Johnson*, III, 147-148.

³⁸*Dr. Dodd's SPEECH.*

³⁹*Petition of the Common Council*, in Howson, *Macaroni Parson*, p.243.

My crime has indeed been atrocious, but my punishment has not been light. From a heighth [sic] of reputation which perhaps raised envy in others, and certainly produced pride in myself, I have fallen to the lowest and groassest infamy; from an income which prudence might have made plentiful, I am reduced to live on those remains of charity which infamy has left me. When so much has been given to justice, I humbly intreat that life, such as it must now be, may be given to mercy..⁴⁰

In writing to the King, Dodd hoped 'that justice may be satisfied with irrevocable exile, perpetual disgrace, and hopeless penury'.⁴¹

Paraphrase such as this can do little justice to the measured dignity, the freshness and variety which Johnson manages to bring to a limited range of strategies. Even a sense of the dubiety of the cause can be assimilated and turned to advantage:

no Arbiter of Life and Death has ever been censured for granting the Life of a Criminal to honest and powerful Solicitation... the Man for whom a Nation petitions. must be presumed to have Merit uncommon in Kind or in Degree, for however the Mode of collecting Subscriptions, or the right Judgement exercised by the Subscribers, may be open to Dispute, it is at last plain that something is done for this Man, that was never done for any other..⁴²

It is enough, however, to stress the mere fact of Johnson's involvement with 'the unfortunate Dr Dodd' (as against the 'Macaroni parson'). We can now assess how literature in general shaped and reproduced the case.

⁴⁰Letter to Bathurst, Howson, *Macaroni Parson*, p.244.

⁴¹Boswell, *Life of Johnson*, III, 144-145.

⁴²*Public Advertiser*, 25 June 1777 (also in *Gazetteer*, 26 June).

b: Writing

Johnson never went to see Dodd in prison, but a host of celebrities did, at Dodd's request; Wesley gave in and made several trips, to be agreeably surprised at Dodd's piety.⁴³ 'Detector' Douglas pleaded personal trouble as an excuse for not going.⁴⁴ When not being visited, Dodd was writing letters - to Johnson, to Allen, to his wife and friends. But alongside this personal and visual publicity there developed an astonishing plenitude of newspaper coverage - not only arguments concerning this case of forgery or the extent of Dodd's guilt, but an attempt to construct a most profound and intimate documentation of Dodd's inner self.

Hawkins wrote that

The public were, at first, very little interested in [his] fate... but, by various artifices, and particularly, the insertion of his name in the public papers, with such palliatives as he and his friends could invent, never without the epithet of *unfortunate*, they were betrayed into such an enthusiastic commiseration of his case, as would have led a stranger to believe, that himself had been no accessory to his distresses, but that they were the inflictions of Providence.⁴⁵

⁴³See *The Journal of the Rev. John Wesley*, edited by Nehemiah Curnock, 8 vols (1938), VI, 138-139, 149-150, 157; (15 Feb, 18 Feb, 24 May, 27 June 1777).

⁴⁴See Dodd to Douglas, 29 April 1777, BL Egerton MS 2182, f.44; Douglas's autobiography (Egerton MS 2181) mentions no trouble at this time, though as Dean of St Paul's he was busy moving into his new house in Amen Corner (a stone's throw from Newgate).

⁴⁵Hawkins, *Life of Johnson*, pp.520-521.

It is of course impossible to apportion responsibility for the newspaper items, though certain coincidental reports indicate some degree of orchestration and one paper later printed a letter from Dodd suggesting that the campaign was being planned.⁴⁶ *The Gazetteer* instituted a series of letters in support of Dodd, *The Morning Chronicle* admitted it had printed such letters expressly to further the cause, and most papers printed rumours of a kind which tried to prompt rather than reflect events:

It is confidently reported, that the unfortunate Divine under sentence of death, is not to suffer an ignominious death, but will be permitted to retire to the Continent. This remission of ~~the~~ sentence is owing, we hear, to the intercession of the Prince of Wales.⁴⁷

The sheer scale involved is impressive; in eleven newspapers and three periodicals over the six months February-July 1777, I counted over 1000 separate items on Dodd, ranging in size from a few words to whole pages. The highest coverage was in *The Morning Chronicle*,

⁴⁶For coincidences see for example *Gazetteer*, *Morning Chronicle* and *Daily Advertiser* for 19 May and 16 June; the letter from Dodd is in *The Public Advertiser* of 4 July 1777 and *The Westminster Gazette* and *The London Chronicle* of 3-5 July.

⁴⁷*Gazetteer*, 28 May; see the similar reports in the issues of 3 and 11 June. See further the issues of 5 and 7 June; and *Morning Chronicle*, 30 June. For more rumours see *The Morning Post* 11 and 14 February, *Westminster Gazette* 11-15 February, *London Chronicle* 10-12 June.

followed by *The Public Advertiser* and *The Gazetteer*.⁴⁸ Items included extracts from and reviews of publications about Dodd, messages from Dodd, reports of official events (trial, sentence, etc), or of Dodd's behaviour, health and feelings, letters and commentary in support of a pardon, letters and commentary against a pardon, letters on forgery in general, elegies, and biographical anecdotes.

This intense spotlighting was supplemented by the whole range of other writing. In the speech Dodd gave prior to his sentence he complained (in Johnson's words) 'my name and my crime fill the ballads in the streets'; even before his trial ballad-sellers were being arrested for their comments.⁴⁹ The trial was available (some copies on fine paper) in the official version and in pamphlet form.⁵⁰ Then there were the four editions of *A Genuine Account of the Behaviour and Dying Words of William Dodd, LL.D.*, by John Villette, and a piracy, *A Relation of Dr. Dodd's Behaviour in Newgate, according to the Rev. Mr Villette*

⁴⁸The other titles are: *The London Chronicle*, *The Daily Advertiser*, *The Morning Post*, *The St. James's Chronicle*, *The Whitehall Evening Post*, *Lloyd's Evening Post*, *The General Evening Post* and *The Westminster Gazette*. The periodicals are *The Gentleman's Magazine*, *The London Review*, and *The Sentimental Magazine*.

⁴⁹See *The General Evening Post*, 15-18 February. Two ballads are printed by in Howson, *Macaroni Parson*, pp. 139, 145; another is in *GM*, XLVII (April 1777), p.187. See also *St. James's Chronicle*, 22-24 April.

⁵⁰*OBS* for 19 February 1777 and following days; Dodd's trial occupies an extraordinary 25 pages (94-118). See also *A Full and Circumstantial Account of the Trial of the Reverend Dr Dodd* (Dublin), *The Trial of the Reverend Dr Dodd*, and *The Trial and Life of the Rev. Dr. Dodd* (all 1777).

the Ordinary's Account. At least a dozen biographies were published.⁵¹ *A Tear of Gratitude, To the Memory of the Unfortunate Dr. Dodd, and A Letter to Messrs. FLETCHER and PEACH, Of the City of LONDON* put the case in emotional and economic terms respectively, while two sermons drew lessons.⁵² Three pamphlets opposed the tide of sentiment and attacked Dodd.⁵³

As Dodd's execution receded, the legend grew; several memoirists included their assessments of Dodd's character and anecdotes of his behaviour in their autobiographies.⁵⁴ Meanwhile, Dodd's own version appeared: the voluminous

⁵¹*Genuine Memoirs of the Reverend Doctor Dodd; The Life and Writings of the Rev. William Dodd, LL.D.; A Full and Particular Account of the Life and Trial of the Reverend Doctor Dodd; The True and Genuine Account of the Trial and all the most material Transactions respecting the reverend Dr. Dodd; An Account of the Life and Writings of William Dodd, LL.D; Historical Memoirs of the Life and Writings of the Late Rev. William Dodd, LL.D.; A Genuine and Authentic Account of the Life, Trial, Behaviour and dying Words of William Dodd, LL.D.; An Account of the Life, Death, and Writings, of the Rev. Dr. Dodd; Authentic Memoirs of the Life of William Dodd, LL.D. (Salisbury); An Authentic Account of the late unfortunate Doctor William Dodd (Rochester); all dated 1777. One other was destroyed in the war: BL D-6495.b.58 (4).*

⁵²John Camplin, *The Evidence of Christianity not weakened by the frailty of its MINISTERS*, and John Harmer, *He knew not that the Lord was departed from him* (both 1777).

⁵³*Serious Reflections upon Dr. Dodd's Trial for Forgery, Thoughts of a Citizen of London on the Conduct of Dr. Dodd, in his Life and Death, and the now lost Observations on the case of Dr Dodd*, reviewed in *London Review*, V (June 1777), pp.533-534.

⁵⁴See C. H. L. Papendiek, *Court and Private Life in the Time of Queen Charlotte*, edited by Mrs. V. D. Broughton, 2 vols (1887), II, 19-82; *Memoirs of Richard Cumberland* (1806), p.296; *Reminiscences of Henry Angelo*, edited by H. Lavers Smith (1904), I, 354, 362, 369; John Taylor, *Records of my Life* (1832), II, 250-253; *Historical and Posthumous Memoirs of Sir Nathaniel Wraxall 1772-1784*, edited by H. B. Wheatley, 4 vols (1884), IV, 248-250; William Cooke, *Memoirs of Samuel Foote* (1805), pp.193-198; *Memoirs and Anecdotes of Philip Thicknesse*, 2 vols (1788), I, 220-230, II, 89-94.

Thoughts in Prison became a 'sacred classic' after its appearance in September 1777.⁵⁵ Dodd had communicated some 'Verses from an Unhappy Prisoner' to *The London Chronicle* of 22-25 February and had also published a less gloomy note of thanks to his friends in *The Gazetteer* of 28 February (reprinted in *The Morning Chronicle* of 1 March and *The London Chronicle* of 27 February-1 March). Some of his previous works were republished at this time, either for his own or his publisher's benefit, but it was the 3500 lines of the *Thoughts in Prison* that were to form Dodd's monument to himself.⁵⁶

How do these texts modify the image of Dodd given by Johnson and by traditional characterizations of forgers? Of the 166 letters and comments in direct support of Dodd, many stressed the 'value' of his charitable activities as a saving grace. The 'sobbing breast of afflicted parents', the 'silent eloquence of artless infants' whom Dodd had rescued, called for his release.⁵⁷ Others made a sort of legal capital out of the dubious procedures used by the prosecution, or played the barrister in arguing some of the evidence inadmissible or unconstitutional.⁵⁸

⁵⁵Published (as *Prison Thoughts*) in a series of Sacred Classics by C. Cooke, 1796, the edition used here. The first edition was advertised in *The London Chronicle*, 6-9 September 1777, with extracts in the issue of 9-11 September.

⁵⁶For new editions of *The Visitor* and *Comfort for the Afflicted* see *London Chronicle*, 22-24 April; *Whitehall Evening Post*, 24-26 April; *London Evening Post*, 2 May.

⁵⁷*Morning Chronicle*, 26 February and 19 May. The contrast with similar characters in the 1726 *Verses on Ward* is instructive.

⁵⁸See for example the letters in *Morning Post* 18 and 20 June, *Morning Chronicle* 13 and 19 May.

Dodd was compared favourably with other forgers, past and present.⁵⁹

But the greatest emphasis of all was on suffering. Sometimes this was (as with Johnson) cited as a punishment already undergone;⁶⁰ but it formed a very basic feature of reportage in general, beginning at the first examination after his arrest on 7 February:

The Reverend Prisoner had now scarce the Power of Utterance; at the Entrance of his noble Pupil... he beckoned with great Earnestness to speak with his Lordship - he continued to seek an Opportunity of privately craving his Mercy, but his Lordship paid not the least Regard to his Tears.⁶¹

'In what language shall we describe the apparent agonizing Feelings of the Reverend Prisoner at the Bar', questioned *The Public Advertiser* of 10 February. When asked to speak at the end of the trial proper, Dodd mentioned that 'he had a wife [here the tears flowed from his eyes, and indeed from the eyes of ^{the} greatest part of those who heard him] then asked pardon of the court and jury for this weakness'. Everyone was in tears.⁶² After the verdict, 'the unhappy Criminal made Efforts to speak: The Court were silent to hear: But he retired, unable in the Anguish

⁵⁹See *Public Advertiser* 23 June, *Morning Chronicle* 19 and 26 June, *Morning Post* 30 May.

⁶⁰As in *Morning Chronicle*, 11 April.

⁶¹*St. James's Chronicle*, 8-11 February.

⁶²See *The Annual Register*, XX (1777), pp.232-234; and *Morning Chronicle*, *Morning Post* and *Gazetteer* for 24 February.

of his Soul to exercise the Power of Utterance'.⁶³ The speech which Johnson wrote for Dodd to deliver before sentence began and ended the same way:

The unhappy Man, with folded Arms, and streaming Eyes, then addressed the Recorder in Terms so pathetic, that many wept...The miserable Divine... retired, with trembling Steps, groaning with unutterable Anguish, and exclaiming in the most lamentable Moanings, "Lord Jesus receive my Soul".⁶⁴

The whole process was repeated at the gallows, where even the hangman wept; when he was turned off,

there was an universal Silence: Tears flowed from many Eyes, but from one Quarter there was almost instantly a general Groan that was deplorably affecting; and a mournful Shriek (apparently a Woman's Voice) that pierced the Hearts of those who heard it.⁶⁵

Dodd's execution had become a kind of crucifixion - one petitioner indeed offered to suffer on his behalf.⁶⁶ Another seriously compared his sufferings with those of Christ; 'Dod' was found to be Hebrew for 'David', thus providing a source for allegory, and late in the day an address 'in the language of prayer' was issued.⁶⁷

The largest group of items in the papers consisted of day-to-day reports of Dodd's health and emotional state,

⁶³Public Advertiser, 24 February.

⁶⁴Daily Advertiser, 17 May.

⁶⁵Public Advertiser, 28 June.

⁶⁶Howson, Macaroni Parson, p.210.

⁶⁷See Morning Chronicle, 2 and 29 May, Gazetteer 10 May and 21 June, and London Evening Post 18-20 June.

and these reinforce an image of the criminal as pious sufferer. Dodd 'can scarcely be prevailed upon to sustain life', he 'has been exceedingly ill for some days past in Newgate, his nerves being so relaxed that he frequently falls into fainting fits'; he 'continues much indisposed at his apartments... with a giddiness and tremor upon the nerves, which at some times afflict him in a very alarming manner'.⁶⁸ The same malady affected Dodd's wife, ever likely to 'fall a sacrifice to her conjugal affection', his brother, and his amanuensis Weedon Butler, all of whom took to their beds and were despaired of.⁶⁹

Dodd's sufferings were nowhere more prominent than in his own *Thoughts in Prison*, where he writes of himself as the simple innocent Man of Feeling,

... unsuspecting, and ill-form'd
For the world's subtleties, his bare breast bore
Unguarded, open; and ingenuous, thought
All men ingenuous, frank and open too!

Where the crime is mentioned at all, it is subordinated clausally and emotionally:

And could I weep whole seas of briny tears
In painful penitence; could I deplore
From my heart's aching fountain, drop by drop,

⁶⁸*Morning Post*, 14 February, *Morning Chronicle* 4 and 13 June.

⁶⁹See for example *Gazetteer*, 14 April and 19 May; *Morning Post* 13 March and 30 June.

My crimes and follies; my deep grief and shame,
 For vile dishonour on thy gospel brought;
 For vile discredit to my order done;
 For deep offence against my country's laws!
 For deep offence to pity and to man, -
 A patriarchal age would be too short...⁷⁰

This is almost justification by guilt; the extreme of feeling not only atones but indicates some kind of primordial sincerity and guiltlessness, as contrasted with the unfeeling prosecutors and corrupters of innocence elsewhere in the text.⁷¹

The poem presented a fall essentially tragic. Socrates, Hamlet, Caesar, Raleigh and Overbury were mentioned as role models.⁷² Literary tragedizing of this kind was very evident, Milton (*Paradise Lost*, *Samson Agonistes*), and Shakespeare (*Othello*, *Measure for Measure*, *Macbeth*) being the commonest sources of comparison.⁷³ Dodd saw his fall as tragic: 'weep my sad fate, and with tender affection remember that you knew a man, once by God's love the happiest that could be in his blessed service, but who, seduced by the world and sin, plunged into woe as bitter as ever was experienced on earth!'; and John Harmer, whose sermon quoted *Samson Agonistes* and Portia's 'mercy' speech, saw things much the same way:

⁷⁰Quotations from pp.82, 84.

⁷¹For example, pp.23, 43, 46. According to Villette, Dodd did venture to criticize the 'sanguinary' cast of the penal laws; *Genuine Account*, p. 14.

⁷²See pp.24, 31, 41, 51, 79.

⁷³See the title pages of *Authentic Memoirs of the Life of William Dodd* and *An Account of the Life and Writings of William Dodd* (also p.80); and letters in *Morning Chronicle* 23 May and 10 June.

O How is the scene changed! When he was treading in the paths of popular applause... How little did he then think this language would be his own;
 "Ah! but to die and go I know not where
 (For in that sleep of death what dreams may come!)...⁷⁴

It was easy to see the working of the fatal flaw.

Yet the effect of tragic reference was not always favourable to Dodd; several references were dredged up to hint at a prefiguring of the fall, and these tended to suggest that Dodd's crime was somehow inherent in his life. Early events, apparently advantageous but concealing the eventual snare, were retold.⁷⁵ It was found that a gypsy had predicted Dodd would be hanged, and a 'gentleman of Clapham' who knew Dodd's excesses 'is said to have predicted some years before, that he would come to an untimely end: How unsearchable is the wisdom and justice of Providence!'.⁷⁶ Philip Thicknesse was told on arrival at Dover that a Doctor of Divinity was in Newgate for forgery; 'and I instantly (I know not why) said in my mind, Then it is Dr. Dodd'.⁷⁷ Providence saw to it that as soon as the crime was committed, Dodd should go

⁷⁴He knew not, p.15.

⁷⁵Historical Memoirs, pp.14, 19, 39.

⁷⁶Public Advertiser 28 June, Morning Post 30 June, Gazetteer 1 July; *Memoirs of the Life, Studies and Writings of the Right Reverend George Horne, D.D.* (1795), pp.54-58. For another example see *Historical Memoirs*, p.47.

⁷⁷Quoted in Nichols, *Illustrations* IV, 523-524.

into a church and hear the text 'thy life shall hang in doubt before thee'.⁷⁸

Quotations were found in Dodd's early writings; his novel *The Sisters* (1754) ends with the execution of the villain despite powerful friends; *The Gentleman's Magazine* drew this to the attention of its readers, and also noted Dodd's sermon, *The Frequency of Capital Punishments Inconsistent with Justice, Sound Policy, and Religion*, with its emphasis on 'the humane and benevolent spirit which characterizes the present times'.⁷⁹ In the 'condemned sermon' preached for the forger William Davies, the finger was pointed at 'one... who is fond of making himself conspicuous in many worshipping congregations'; he was warned to repent and leave off forgery before it was too late. The point was reprinted without comment in *St. James's Chronicle*, 20-22 February, though the author of the sermon later denied Dodd was the person meant.⁸⁰ Dodd was alleged to have written a sermon for the brothers Perreau, and to have witnessed their execution: 'who would have thought then that the Doctor would, in a few months

⁷⁸Deuteronomy 28. 66-67; *Gazetteer*, 3 and 5 July, *Whitehall Evening Post*, *London Chronicle* 1-3 July.

⁷⁹The sermon, which was reprinted (presumably not casually) in 1777, has no date, but quotes from Beccaria and Blackstone, which puts it around 1770. See *Gentleman's Magazine*, XLVII (July 1777), 339-340; and *An Authentic Account of the late unfortunate Doctor William Dodd*, p.12.

⁸⁰*Whitehall Evening Post*, 11-13 March. See Henry Foster, *Grace displayed; and Saul converted* (1777), p.22; advertised in *Gazetteer*, 21 January.

after, become a like spectacle for the like crime?'⁸¹

Thus fate was two-edged; it could be felt that the crime was bound to happen sooner or later. Early assessments rated Dodd's abilities as 'shining rather than solid' and comments on his theatricality suggested a lack of essence to his superficial value.⁸² Alexander Carlyle recalled a shockingly indelicate sermon preached by 'Dr. Dodd, a man afterwards too well known'.⁸³ His writings fared no better:

The lending of his name to a publication, of which he never wrote a single line; the composing an essay for a magazine or newspaper; and the translating some bagatelle piece of infidelity... were not withheld, if any thing was to be got by either of them.⁸⁴

Dodd was also a prospective editor of Shakespeare and was further accused of chicanery over some manuscripts supposedly by Locke.⁸⁵

The 'eyes of the public' had moreover been opened 'to his real character' by an event of 1774; Walpole gives the appropriate scandal:

⁸¹*Morning Chronicle*, 7 July; *An Account of the Life, Death, and Writings*, p.20.

⁸²See *London Chronicle* 1-3 April, and John Taylor, *Records of my Life*, II, 250-253.

⁸³*The Autobiography of Alexander Carlyle*, edited by John Hill Burton (Edinburgh and London, 1910), p.528. Hawkins tells of Dodd's keeping a mistress in *Life of Johnson*, p.534.

⁸⁴*Genuine Memoirs of the Reverend Dr Dodd*, p.27.

⁸⁵See E. E. Willoughby, 'A Deadly Edition of Shakespeare', *Shakespeare Quarterly*, V (1954), pp.351-357, and Nichols, *Anecdotes*, IX, 276.

King George... has ordered the pure precise Dr Dodd to be struck off the list of his chaplains, not for gallantry with a Magdalen, as you would expect, but for offering a thumping bribe to my Lord Chancellor for the fat living of St George's...⁸⁶

This incident led to an appearance in Foote's *The Cozeners* (acted July 1774) and in a poem by Goldsmith linking Dodd with Lauder, Bower and other impostors to be detected by the valiant Douglas.⁸⁷ There was after all no shortage of opposition to Dodd's claim to a pardon. His conviction had been legal, praiseworthy, necessary in a commercial world, and so on.⁸⁸ Dodd had sinned against personal 'economy' as well. The moral example of his 'imprudence', 'luxury' and 'extravagance' was proved by several instances, including his expensive private chapel (built, incidentally, on land leased from Ralph Ward).⁸⁹ His preferment-hunting and fee-grabbing were all prominent in this reversal of the 'unfortunate' role.⁹⁰

On one side there was Dodd's 'reputation of humanity and natural honesty', sincerity oozing from every pore, his

⁸⁶To Lady Ossory, 29 January 1774, *Correspondence of Walpole*, XXXII, 185; and *Historical Memoirs*, p.40.

⁸⁷*Retaliation*, 1.86, in *Collected Works of Oliver Goldsmith*, edited by Arthur Friedman, 5 vols (Oxford, 1966), IV, 351-359, at 356.

⁸⁸For examples see *Westminster Gazette*, 11-15 and 15-18 February, *St. James's Chronicle* 1-4 March, *Morning Chronicle* 18 April.

⁸⁹See *Genuine Memoirs of the Reverend Doctor Dodd*, passim; *An Account of the life and Writings of William Dodd*, pp.49-52; Howson, *Macaroni Parson*, p.72.

⁹⁰See Hawkins, *Life of Johnson*, p.435.

integrity guaranteed by his feeling, weeping body.⁹¹ On the other there was the 'daring miscreant', guilty of a crime which consisted less of 'counterfeiting a man's hand and seal' than in 'endeavouring to give an appearance of truth to a mere deceit and falsity'. Dodd's evasions, vanity, arrogance and general humbug and sham were set against the extravagant petitions and campaigns, the 'Calls for peculiar Compassion, and... Alleviations of his Crime, almost amounting to a Vindication of it'.⁹²

What then was the truth? Genuine Memoirs, True and Genuine Account, Genuine and Authentic Account, Genuine Life; authenticity was at a premium. John Villette signed all four editions of his *Account* personally (a practice not unknown to more dignified writers).⁹³ The *Historical Memoirs* aimed to supercede 'some spurious accounts that have been offered to the public' with 'personal knowledge'. Dodd repudiated the *Genuine Memoirs* and his brother and assistant insisted that only their account would be authentic.⁹⁴ Dodd was not the only forger to be treated so; the Case of John Ayliffe's creditors declared their case 'indisputably authenticated from ORIGINALS';

⁹¹See the letter in *Westminster Gazette* 25 February-1 March.

⁹²See in particular the letter in *Public Advertiser* 22 March; *Serious Reflections upon Dr. Dodd's Trial for Forgery*, and *Thoughts of a Citizen of London*.

⁹³See Harold Forster, 'Poems autographed by the Author', *Factotum*, 6 (October 1979), pp.12-14; David Foxon, 'Poems autographed by the Author', *Factotum*, 8 (April 1980), pp.21-23.

⁹⁴See Villette, *Genuine Account*, p.4; *Morning Chronicle*, 28 February, *Lloyd's Evening Post*, 26-28 February, *Gazetteer*, 1 March, and *GM*, XLVII (July 1777), p.339.

the Perreau brothers and Mrs. Rudd backed their declarations with manuscripts.⁹⁵ In 1779 John Mathieson was executed for forging banknotes and the 'editor' of his *Memoirs* proclaimed^{to} his readers that he had 'Mr. Mattieson's letter to convince them of its authenticity' - it was on view at the publisher's.⁹⁶ Joshua Crompton's *Memoirs* ('written by himself') were authenticated by a clergyman.⁹⁷ Many forgers left poems, letters and pious thoughts for publication, indicating the superior and pitiable nature of their crime. *A Genuine Copy of the Last Words and Dying Thoughts of William Alexander* contained declarations, letters, hymns, 'Reflections' and so on, all authenticated by two clergymen - and no reference to the crime at all.⁹⁸ 'Vouchers' no longer merely established an external or historical truth (as with Moore's *Unparallell'd Impostor*), but served to authenticate the inner world of feeling. A certain refinement allowed forgers to figure as authors; they had to be literate, after all. Dodd's case was merely the

⁹⁵*The Case of the Orphan and Creditors of John Ayliffe* (1761); *A Solemn Declaration of Mr. Daniel Perreau* (1776), 'Advertisement'; *Observations on the Trial of Mr. Robt. Perreau*, p.v; *FACTS: or, a Plain and Explicit Narrative of the Case of Mrs. Rudd* (1775).

⁹⁶*Memoirs of the Life of John Mathieson* (1779), p.v.

⁹⁷*The Genuine Memoirs of Joshua Crompton*, pp.3-4 and certificate at the end.

⁹⁸Published at Newcastle, 1783. Compare *A Short and Authentic Account of William Davies*, pp.18-24, the untitled pamphlet on Orton, pp.21-23, and *An Authentic Account of William Smith*, p.29.

most voluminous.⁹⁹

In 1793 it was rumoured that the *Thoughts in Prison* had actually been composed by Johnson, though 'the guilt of deceiving the public' was hard to reconcile with 'the innocence of Dr. Dodd's general character'. Weedon Butler at once produced the autograph manuscript, and declared that Johnson would never have been party to such deceit. Moreover, the truth and sincerity of the piece matched its authorship: 'if ever internal evidence pointed out the author of a writing, that in question seems to have it in a very peculiar degree'. Another writer was concerned that 'such dark insinuations tend to destroy all confidence, and, if often promulgated, would not fail to render the author of every celebrated work suspected'.¹⁰⁰

Nonetheless Johnson's writings for Dodd did cause problems. He had allowed Dodd to pass *The Convict's Address* off as his own, and even seemed to enjoy the secret credit, but he 'disapproved' of Dodd's failure to clear up the authorship before he died.¹⁰¹ After Dodd's death, Johnson planned a small collection of the papers that he had written for Dodd, to be sold in aid of his

⁹⁹On claims to authenticity in criminal writing in general, see Davis, *Factual Fictions*, pp. 55-58, 127. The Old Bailey Proceedings were 'authenticated' with the Recorder's name from the issue of 6 December 1776.

¹⁰⁰GM, LXIII (February and March 1793), pp.129-130, 233-236. The rumours were current earlier: see Jonas Hanway, *Distributive Justice and Mercy* (1781), p.38.

¹⁰¹See Johnson to Boswell, 28 June 1777, in Boswell, *Life of Johnson*, III, 121 and n.3, and p.167; Johnson to Mrs. Thrale, 9 August 1777, *Letters of Johnson*, II, 191.

widow; this necessitated sly loopholes to evade the authorship question - Dodd was seen to 'confirm with his name' some of Johnson's pieces, and desired 'to leave behind me these Thoughts, by whomsoever collected and expressed, as the genuine Opinion of my last Hour'; but on the sole surviving copy it is noted that Mrs Dodd, 'conscious the Contents were not all her husband's writing... begged it might be suppressed'.¹⁰²

Johnson had at first opposed the sending of the *Convict's Address* to the King and his ministers, but at last conceded it might help.¹⁰³ This ambiguity perhaps stems from the dual responsibility Johnson exercised - to make Dodd appear as useful and worthy as possible, but yet not to deceive him, and to ventriloquize an authentically pious end should the petitions fail. Johnson did not merely appeal, or even make a show of Dodd; he authored Dodd's penitence, inscribed the words of confession for Dodd to utter. At the last, Johnson insisted that the whole truth must be told: 'the history of his own mind, if not written by himself, cannot be written', 'the most important of these pieces is the criminal's account of himself', 'the account of his past life, and of his dying

¹⁰²*Occasional Papers by the late William Dodd, LL.D.* (BL, C.40.g.24). The publisher, Kearsly, added the papers to his 1785 *Life of Samuel Johnson, LL.D.* (pp.128-140).

¹⁰³To Allen, 22 June, in *Papers by Johnson and Dodd*, pp.17-18. The sermon was excerpted in *London Chronicle* 17-19 June, *Public Advertiser* and *Gazetteer* 20 June, *Morning Chronicle* 21 June, among others.

sentiments, are the effusions of his own mind, consigned to paper without a prompter, and copied from his manuscript'.¹⁰⁴ Johnson's writings for Dodd constitute a powerful representation, and many of his later comments concern the truth behind the appearance. When a lady asked for a motto for a picture of Dr Dodd, Johnson suggested *Currat Lex*; 'I was very willing to have him pardoned, that is, to have the sentence changed to transportation: but, when he was once hanged, I did not wish he should be made a saint'. Boswell said that Dodd appeared willing to die; 'Sir... Dr. Dodd would have given both his hands and both his legs to have lived'. Johnson told Boswell that Dodd's friends had made an image of him in wax to deceive the keepers during a rescue attempt - a stratagem one writer labelled 'a worse forgery upon Mr. Akerman's humanity and indulgence, than that committed on the noble Lord's purse'.¹⁰⁵ In 1778 Boswell read *Thoughts in Prison* to Johnson, who was mildly favourable; but on reading a last prayer for the Royal Family, he asked 'what evidence is there that this was composed the night before he suffered? I do not believe it... Though, he *may* have composed this prayer, then. A man who has been canting

¹⁰⁴To Allen, 17 June, in *Papers by Johnson and Dodd*, p.15; and *Occasional Papers*, pp.5-6, 24.

¹⁰⁵*Memoirs of Thicknesse*, I, 228.

all his life, may cant to the last'.¹⁰⁶

c: Lives and Letters

As a forger, Dodd could be both impostor and saint: the peculiar status of the crime and the gentility of its perpetrators lent a special poignancy and interest to the suffering criminal, who was yet the contriver of the worst of frauds. The writing of a forgery gave way to authentic papers and dying thoughts, the literary marks of inner sincerity. The material in this chapter suggests that the career of Dodd posed serious problems of biography as well as bibliography, and I want to conclude with a look at these themes in their most obvious centre.

For Boswell the Dodd affair was a classic piece of investigation, since he was in Scotland for the whole case, and Johnson's role was highly secret: 'I most seriously enjoin you not to let it be at all known that I have written this letter, and to return the copy to Mr. Allen in a cover to me', Johnson wrote of his draft letter to the King.¹⁰⁷ Boswell met Dodd only once, though he saw

¹⁰⁶Quotations from Boswell, *Life of Johnson*, III, 154, 167, 270, IV, 207-208; compare the notes in *Boswell in Extremes*, pp.155, 164, 165, 271-272. On escape attempts see *Morning Post* 15 February, *Morning Chronicle* 18 February and *Gazetteer* 19 February, and for Dodd's own inscription on mourning rings see *Morning Chronicle* 26 July and *London Evening Post* 30 July-1 August. Dodd altered Johnson's script at the point where he was accused of hypocrisy: Boswell, *Life of Johnson*, III, 143.

¹⁰⁷To Dodd, c.22 June, in Boswell, *Life of Johnson*, III, 144-145.

several forgers executed; one of these, the attorney James Gibson (1768) formed the basis of his essay on executions. He also had an affair with Mrs. Rudd.¹⁰⁸ He made up his mind about Dodd (passionately in favour of pardon) at a distance, and noted the events of the case with 'a dismal impression'. Johnson told Boswell 'I wrote many of his petitions and some of his letters... His moral character is very bad: I hope all is not true that is charged upon him'. Boswell at once seized on this concern:

I had sagacity enough to divine that you wrote his speech to the Recorder... I hope to be favoured with an exact list of the several pieces when we meet.

Johnson agreed.¹⁰⁹ At Ashbourne Boswell heard a fund of anecdote concerning Dodd; but best of all Johnson 'put into my hands the whole series of his writings upon this melancholy occasion, and I shall present my readers with the abstract which I made from the collection'. Boswell even asked Johnson to specify minutely the alterations

¹⁰⁸See 'On Executions', *Boswell's Column*, pp.343-348; for contact with forgers see *Boswell's London Journal*, p.270 (John Rice); *Boswell for the Defence*, p.37 (James Bolland); *Boswell in Extremes*, p.251 (not named); *Boswell: The Ominous Years*, pp.22, 27-28, 223, 351-361 (not named, the Perreau brothers and Mrs. Rudd); *Boswell Laird of Auchinleck*, pp.183, 226 (David Reid); *Boswell: The Applause of the Jury*, p.287, 318-319 (not named, Robert Jackson); *Boswell: The English Experiment*, 240-241 (not named; for Boswell's affair with Mrs. Rudd see pp.xvii, 8, 32-61); Boswell to John Johnstone, 31 May 1770, in *Correspondence of James Boswell with John Johnstone of Grange*, edited by R. S. Walker (1966), p.261 (William Harris).

¹⁰⁹See *Boswell in Extremes*, pp.126, 130-132; Johnson to Boswell, 28 June and 22 July, Boswell to Johnson, 15 July, in *Life of Johnson*, III, 120, 126, 127.

made by Dodd and others in the sermon, petitions, and 'last declaration', and claimed to settle 'authentically' the composition of the *Occasional Papers*.¹¹⁰

This episode exemplifies Boswell's concern to root biography in bibliography. Lists of Johnson's writings, carefully preserved letters, the few manuscripts that could be rescued, and Boswell's own manuscript memoranda of Johnson's conversation, form the basis, the authentication, of his biography. Literary genuineness was a crucial key; Ossian was not the only forgery to be detected in the Highlands. As a subject Johnson gave Boswell much information about forgeries of his own work and others, answering 'every man whatever has a peculiar style, which may be discovered by nice examination and comparison with others' to Boswell's anxious question whether such a style was like 'a peculiar handwriting, a peculiar countenance, not widely different in many, yet always enough to be distinctive'.¹¹¹ Literary property was essentially inalienable: 'there seems... to be in author^us a stronger right of property than that by occupancy; a metaphysical right, a right, as it were, of creation'. Boswell agreed, comparing adoptive with blood children: 'so in literary children, an author may give the

¹¹⁰*Life of Johnson*, III, 140-148. For the work on these matters see *Boswell in Extremes*, pp.151, 181.

¹¹¹*Life of Johnson*, III, 280. See further III, 351, IV, 199-200, 334; *Journal of a Tour to the Hebrides*, p.86; *Boswell: The English Experiment*, pp.73, 213. MacNicol's book against Johnson was similarly suspect: *Life of Johnson*, II, 308.

profits and fame of his composition to another man, but cannot make that other the real authour',¹¹²

This closeness to familial property made fraud particularly pernicious; Boswell compared the spurious parts of Ossian to a bastard child, lurking unknown among legitimate issue.¹¹³ He lists several frauds, including one by the champion of Psalmanazar, Alexander Innes. The Ossianist Henry Mackenzie was a victim, his novel *The Man of Feeling* having been copied out by one Mr. Eccles complete 'with blottings, interlineations, and corrections, that it might be shown to several people as an original'.¹¹⁴ Boswell comments, 'I can conceive this kind of fraud to be very easily practised with successful effrontery. The *Filiation* of a literary performance is difficult of proof; seldom is there any witness present at its birth'. This was precisely the problem which exercised the defenders of the *Eikon Basilike*, indeed of all disputed works - the evidence of style was clear enough, but 'historical proof' was always lacking.

Boswell's comments linking literary with physical progeny indicate the importance of locating the author in the text. At its greatest extent, the crucial problem for Boswell, which led to his enthusiastic study of his own

¹¹²*Life of Johnson*, II, 259, and I, 254.

¹¹³*Journal of a Tour to the Hebrides*, p.381.

¹¹⁴*Life of Johnson*, I, 360; see also *Sentimental Magazine*, V (September 1777), p.231, and Mackenzie to Elizabeth Rose, 11 October 1777, in *Letters of Mackenzie*, pp.204-205.

and other people's ancestry and biography, was to establish and record individual identity. Various piles of notes show his need to capture the lives of those with strong individual lineaments on paper.¹¹⁵ When John Reid was hanged for sheep-stealing, despite Boswell's defence, the lust for authentic information led to portraits, last speeches, petitions, and ballads; there was even a possibility of reviving the criminal after execution, the most radical way of authoring a life.¹¹⁶ Another case which aroused Boswell's intense interest was the Douglas cause, where again Boswell sought both to record authenticity and prove it through literary fictions - novels, compilations of letters, ballads, newspaper reports.¹¹⁷ Johnson got to the nub of the matter:

He was of opinion that positive, or what is called proof that admits of no doubt, should not be required; but that the judges should give the cause according as the probability should preponderate, allowing, however, to Mr. Douglas the general presumption of filiation as strong in his favour.

It was 'that great principle of law - *filiation* - on which we all depend' that Boswell needed.¹¹⁸

¹¹⁵See *Boswell in Holland*, p.214; *Boswell in Search of a Wife*, pp.61, 254, 309; *Boswell for the Defence*, pp.34, 117; *Boswell: The Ominous Years*, p.201; *Boswell in Extremes*, pp.24, 71, 93, 95, 212; *Boswell: The English Experiment*, pp.xiv, 116.

¹¹⁶See *Boswell for the Defence*, pp.276-357. Such an attempt was made in Dodd's case.

¹¹⁷See *Boswell in Search of a Wife*, *passim*.

¹¹⁸*Boswell in Search of a Wife*, pp.159-60, 183; see also *Autobiography of Carlyle*, pp.538-539.

The discovery of identity (as significant within family and property) was the basic theme of many eighteenth-century novels, but it was also a matter for the courts. Apart from Douglas, there was James Annesley, whose case Smollett dramatised. His claim to be the true Earl of Anglesey Lord Mansfield thought 'was clearly shown to be an imposition by authentic papers'. Here again the links with literature were obvious:

an upstart performance hath no more title to inherit the applauses of the public, than an Ainsly or a Douglas to a good estate, before the legitimacy of their birth is ascertained.¹¹⁹

Johnson's *Life of Savage* publicized Richard Savage's claim to be the illegitimate son of Earl Rivers; the disputed heir could also command the approval of Aaron Hill, who took some 'convincing *Original Letters*' to be 'Proofs... too strong, to be easily mistaken'.¹²⁰ Many other claimant-impostors threatened the settled world of rank and identity. Indeed, 'Count' Cagliostro was arrested the

¹¹⁹Donald Macqueen to John Calder, 1780, in Nichols, *Illustrations*, V, 411. For Mansfield on Annesley see Boswell in *Search of a Wife*, p.185; for Smollett see *The Adventures of Peregrine Pickle*, edited by J. L Clifford (1964), pp.704-732; Lillian de la Torre, 'New Light on Smollett and the Annesley Cause', *Review of English Studies*, new series, XXII (1971), pp.274-281, and 'The Melting Scot: A Postscript to *Peregrine Pickle* (1751-1772)', *English Language Notes*, X, no.1 (September 1972), pp.20-26.

¹²⁰See *Plain Dealer*, no.73 (30 November 1724); Samuel Johnson's *Life of Savage*, edited by Clarence Tracy (Oxford, 1971) and Tracy's *The Artificial Bastard: A Biography of Richard Savage* (Toronto, 1953), especially pp.4, 73-74.

day before Dodd, and his trial set for the day of Dodd's execution. Mrs Rudd, alias the Countess de Grosberg, joked with Boswell (a distant cousin of hers) about her 'forged' pedigree.¹²¹

It was essential for Boswell to be part of a family line, to prove authentic genealogy. Yet his Oedipal struggles, his disobedient marriage and his horror at his father's re-marriage, also show Boswell's need to be author of his own life.¹²² His baronial and patriarchal fantasies led him to dispute with his father the succession of the Auchinleck estate through a female line, but also convinced him that as a male he was the true author of his progeny.¹²³ The birth of sons guaranteed his status - provided they were his; Boswell had a mortal fear of 'spurious' children.¹²⁴ The getting of children extended Boswell's identity through the ages and proved his capacity to author life.

¹²¹*The Life of Count Cagliostro* (1786); *Authentic Anecdotes of the Life and Transactions of Mrs. Margaret Rudd*, 2 vols (1776), I, 18-23, 48, 128; *She is and She is not: A Fragment of the True History of Miss Caroline De Grosberg* (1776); *Boswell: The Ominous Years*, p.360; *Boswell: The English Experiment*, p.52. For earlier examples see Ernest Bernbaum, *The Mary Carleton Narratives, 1663-1673* (Cambridge, Mass., 1914); Elkanah Settle, *Compleat Memoirs of the Life of that Notorious Impostor William Morrell* (1694).

¹²²See *Boswell in Search of a Wife*, passim.

¹²³See *Boswell in Extremes*, pp.19-20; *Boswell in Search of a Wife*, pp.270-272; *Boswell: The Ominous Years*, pp.185, 209, 226.

¹²⁴See *Boswell: The Ominous Years*, pp.185, 209, 226; *Boswell in Extremes*, p.341; *Life of Johnson*, III, 348.

What of his literary progeny? They bore his mark. But the most intimate text of all was the *Journal*.¹²⁵ It was not merely that a diary, if 'honestly and judiciously kept' provided 'the most authentick materials' for writing biography; this was no mere record but a way of understanding his life - just as the *Life of Johnson* does not passively record but catalyses and engineers situations and conversations in Johnson's life, authoring in a biographical sense.¹²⁶ Father-figures, men whom Boswell perceived to have integral and 'firm' character, were asked to draw up schemes of life for him, but Boswell also wrote his own programmes, assessing his character and using a text to project his lived biography. When the Dutch journal was lost it was as if 'a part of my vitals had been separated from me'.¹²⁷ Elsewhere he speculated that by destroying the journal he might become a new man. Through all the intense theorizing about the journal, it is clear that Boswell cannot live without it.¹²⁸ At times the vision faded and an authentic record seemed out of reach: 'I defy any man to write down anything like a perfect account of what he has been conscious during one day of his life...'; 'sometimes it has occurred to me that

¹²⁵For a study of such methods of recording identity in diaries see Patricia M. Spacks, *Imagining a Self: Autobiography and the Novel in Eighteenth-Century England* (Cambridge, Mass. and London, 1976).

¹²⁶'On Diaries', in *Boswell's Column*, pp.330-336; see also Boswell: *The English Experiment*, p.74.

¹²⁷*Boswell's Column*, p.334.

¹²⁸*Boswell for the Defence*, p.182; *Boswell in Extremes*, p.84.

a man should not live more than he can record'.¹²⁹ But identity itself was the crucial problem, and the *Journal* serves as an attempt to unify Boswell's mentality even where all there is to record is the sense of fluctuation and fragmentation.¹³⁰ Boswell once compared himself to Tristram Shandy, and the journal, in all its sprawl of self-analysis and self-creation, in its attempt to record life and the progress of the journal at the same time, is the reverse of Sterne's coin.¹³¹ The foremost biographer of the century made the most determined attempt to authenticate the details of Johnson and his texts, and tried to institute his own life within a constant stream of prose - to create at the heart of authentic living an authentic text which would preserve the genius of its creator.

¹²⁹*Boswell in Search of a Wife*, pp.258, 311.

¹³⁰*Boswell: The Ominous Years*, pp. 66, 212.

¹³¹*Boswell in Holland*, p.67.

CHAPTER 6: 'ALL^{OF} THE HOUSE OF FORGERY': CHATTERTON, WALPOLE
AND ANTIQUARIAN COMMERCE

a: Antiquarian Values

In the first part of this final chapter, I will be sketching the culture of the antiquary insofar as it pertains to the themes of authenticity, forgery, and value. This will set the scene for a discussion of the 'crime' of Chatterton and the antiquarian detection of it. Many issues from earlier in this study will recur, since antiquarian study was a branch of history and its output partook of general literary conditions. Writing about Shakespeare was partly antiquarian, partly literary; practitioners such as Thomas Percy and John Pinkerton crossed the divisions between criticism, history, composition, and numismatics, while archaeologists such as Stukeley built up their accounts with ancient literature as well as coins and grave goods. Nonetheless, the 'antiquary' was a distinct character at the time. He had been a figure of fun from the early seventeenth century, characterized as a credulous dupe to any fraud, a disturber of value at a sometimes alarming level. The possessions of John Earle's antiquary are clearly without worth - 'His estate consists much in shekels, and Roman coins' - and his trading irrational - 'He would give all the books in his study (which are rarities all) for one of the old Roman binding, or six lines of Tully in his own hand'. Naturally, 'Beggars cozen him with musty things

which they have raked from dunghills, and he preserves their rags for precious relics'. Mary Astell's view is much the same - an estate in land is given up for a worthless 'cargo' of museum specimens, 'not the Treasure, but the Trumpery'.¹ Edward Young satirizes those who risk bankruptcy for their collections, and those who collect (inevitably faked) 'personal' items - Queen Elizabeth's pin, Joseph's coat.² Heliogabalus's toothpick, Pompey's breeches, Hannibal's spectacles, and 'Pontius Pilate's Wife's Chambermaid's Sister's hat' typify the antiquary's idea of value.³ Johnson rebukes those who hold things in 'veneration, only for having been once the property of some eminent person... The loss or preservation of these seems to be a thing indifferent, nor can I conceive why the possession of them should be coveted'.⁴

Sharper satire is found in Foote's *The Nabob* (1772), where Sir Matthew Mite, posing as a nabob, but eventually recognized as a thief returned from transportation, attempts to win power and a woman by buying up the debts of Sir John Oldham - the family are rescued by a relative, an 'honest' merchant. Mite's bawd is a widow, her husband

¹Earle, *Microcosmographie, Or a Piece of the World Characterized*, edited by Israel Gollancz (1899), pp.14-15; Astell, *An Essay in Defence of the Female Sex* (1696), pp.96-99.

²*Love of Fame, The Universal Passion*, Satires I and IV; *The Poetical Works of Edward Young*, edited by J. Mitford, 2 vols (1866), II, 65, 90-91.

³Shackerley Marmion, *The Antiquary* (1641), Thomas Durfey, *Madam Fickle: Or the Witty False One* (1677), pp.25-26; *The Tatler*, no. 34 (28 June 1709).

⁴*The Rambler*, no 83 (1 January 1751).

having been executed for forgery. Mite buys his way into the 'Antiquary Society', which is seen discussing the 'acquisitions' to their 'stock' - Henry VIII's nutcrackers, Falstaff's corkscrew, Raleigh's tobacco stopper, and so on; to these Mite adds a Roman urn (naturally, a chamber pot) and the twelve lost books of Livy in 'an illegible manuscript'. Smollett's Fathom is of a similar cast - the 'Count', equipped with a convincing outfit and a jack-of-all-trades eloquence, establishes himself on the London scene as a connoisseur, peddling to a willing public worthless diamonds and violins with counterfeit Cremona marks.

This commerce he likewise extended to medals, bronzes, busts, intaglios and old china, and kept divers artificers continually employed in making antiques for the English nobility.⁵

Richard Owen Cambridge gave a similar account of the trade of 'artful sages'.⁶

A key phase in the transition from dupe to forger is Scriblerian satire. Scriblerus's father wastes his estate on coins and mummies, and Scriblerus exchanges his family plate for a supposed Roman shield - but when the maid scours the rust from it, it turns out to be 'a paultry old Sconce, with the nozzle broke off'. Nonetheless, 'it

⁵*The Adventures of Ferdinand Count Fathom*, edited by Damian Grant (1971), p.151.

⁶*The Scribleriad: An Heroic Poem* (1751), II.292-295.

was not long after purchas'd by Dr. Woodward, who, by the assistance of Mr. Kemp incrusted it with a new Rust, and is the same whereof a Cut hath been engraved, and exhibited to the great Contentation of the learned'.⁷ This shield, a matter of some contemporary debate, was attacked in *The Censor*, which set the matter in the context of a general trade in fake antiquities.⁸ The Scriblerus episode seems to suggest that the antiquary is now engaged on deliberate fraud, as well as being easily deceived. Addison's *Dialogues on the Usefulness of Ancient Medals* combined a knowing scepticism about virtuoso theories of authenticity with a theme of the false valuation of coins, but went on to espouse their possible 'use'; Pope's *Verses Occasion'd by Mr. Addison's Treatise of Medals* echoes this progression, yet is severer on antiquaries:

To gain Pescennius one employs his schemes,
 One grasps a Cecrops in ecstatic dreams,
 Poor Vadius, long with spleen devour'd,
 Can taste no pleasure since his Shield was scour'd;
 And Curio, restless by the Fair-one's side,
 Sighs for an Otho, and neglects his bride.⁹

⁷*Memoirs of the Extraordinary Life, Works, and Discoveries of Martinus Scriblerus*, edited by Charles Kerby-Miller (New Haven and London, 1950), pp.95-97, 105, 190-191.

⁸See no.5 (20 April 1715); and in general, Joseph M. Levine, *Dr. Woodward's Shield: History, Science and Satire in Augustan England* (London, Berkeley and Los Angeles, 1977).

⁹ll.39-44; *TE*, VI, 202-207.

The reference to Woodward, slightly awkward as it is, situates the passage in the context of forgery, and the coins of Pescennius and Otho, so much desired by the 'schemers' are mentioned by Addison and Evelyn as likely counterfeits.¹⁰ Pope's character of Annius extends this theme, describing a master-forgery behind the obsessions of collectors.

But Annius, crafty Seer, with ebon wand,
And well-dissembled em'rald on his hand,
False as his Gems, and canker'd as his Coins,
Came, cramm'd with capon, from where Pollio dines.

A note explains the allusion: 'the name is taken from Annius the Monk of Viterbo, famous for many Impositionsⁱ and Forgeries of ancient manuscripts and inscriptions, which he was prompted to by mere Vanity, but our Annius had a more substantial motive'.¹¹ The contemporary 'Annius' remains obscure. The common guess, still a rather dubious one, is Sir Andrew Fountaine, one of the most eminent numismatists of the day, Master of the Mint from 1727 and Vice Chamberlain to the Queen - handily combining the

¹⁰See Addison, *Dialogues*, in *Miscellaneous Works*, III, 5-235, at p.11, John Evelyn, *Numismata: A Discourse of Medals, Ancient and Modern* (1696), pp. 205-216; and *TE*, VI, 340-341. See also Knox, *Objections to the Study of Antiquities when Improperly Pursued*, in *Essays*, I, 319-322.

¹¹*Dunciad* (B), IV, 347-396; *TE*, V, 377-381.

politician with the coiner.¹² But whatever the 'substantial motive' Pope refers to, the antiquarian fraud is clear; Annius plans to fleece each young nobleman, making him 'rich in ancient brass, tho' not in gold, /And keep his Lares, tho' his house be sold'.¹³ Like Fathom, Annius is a fraudulent arbiter of taste, creating both demand and supply in false antiquities, to the ruin of noble estates. Pope asserts the specific truth of the allegation in a note to line 363, and his biographer agreed that 'as marked as the Character of Annius may seem', such forgeries were commonly on show at auctions.¹⁴ Long before Tyrwhitt likened Chatterton to Annius the monk of Viterbo had become a central reference point in describing the forgery of the past.¹⁵

Without arguing that literary representations of antiquaries are wholly accurate, we may trace similar themes in the non-fictional writing associated with this field. A variety of economies operated in antiquarian

¹²Compare Defoe's use of 'Nannius' to represent a 'zealous Whig', *Rogues on both Sides*, quoted in Philip Pinkus, *Grub Street stripped bare* (1968), p.250. Two draft letters show Sir Andrew's collecting methods at work; 4 July 1701 and 12 March 1702, CUL MS Mm. 6.50, ff.234-235.

¹³ll.355-370.

¹⁴William Ayre, *Memoirs of the Life and Writings of Alexander Pope*, Esq., II, 239.

¹⁵See further William Borlase, *Observations on the Antiquities Historical and Monumental, of the County of Cornwall* (Oxford, 1754), p.19; Aylett Sammes, *Britannia Antiqua Illustrata* (1676), Preface; Edward Stillingfleet, *Origines Britannicae* (1685), p.1; William Nicholson, *The English Historical Library* (1714), p.40; Pierre Bayle, *An Historical and Critical Dictionary* (1710), art. Nannius, John; Bolingbroke, *Historical Writings*, p.35; Farrer, *Literary Forgeries*, pp.67-81.

practice: museums could enhance personal dominion or status, further research into 'projects' or act as advertisements.¹⁶ Much study had a strong legal bias, and property cases accepted antiquarian evidence; some families denied access to their papers, fearing their titles could be vulnerable.¹⁷ Many local histories, relying on surviving contracts and deeds, gave an impression of history as dominated by transfers of land.¹⁸ The never-ending argument as to the origins of Stonehenge, Avebury and other monuments often took the form of a property case; 'the Title of the Danes to Stone-Heng' was disputed against the 'Romans claim'; it was 'an act of justice' to 'restore things lost to their proper owners'.¹⁹

¹⁶See Gerard l'E. Turner, 'The Cabinet of experimental Philosophy' and Michael Vickers, 'Greek and Roman Antiquities in the Seventeenth Century', in *The Origins of Museums: The Cabinet of Curiosities in Sixteenth and Seventeenth Century Europe*, edited by Oliver Impey and Arthur MacGregor (Oxford, 1985), pp.214-222 and 223-231; and *The Diary of Ralph Thoresby*, edited by Joseph Hunter, 2 vols (1830), II, 229.

¹⁷See Joan Evans, *A History of the Society of Antiquaries* (Oxford, 1956), p.11; T. D. Kendrick, *British Antiquity* (1950), p.114; Stuart Piggott, *Ruins in a Landscape: Essays in Antiquarianism* (Edinburgh, 1976), p.111; Eleanor M. Adams, *Old English Scholarship in England from 1566-1800* (London and New Haven 1917), pp.28, 47, 58, 69, 99; Douglas, *English Scholars* (1943), pp.37, 51; *Diary of Thoresby*, I, 317, 470; *Diary of Wanley*, lxxiii, 115, 261; *A Collection of Discourses, Written by Eminent Antiquaries*, edited by Thomas Hearne (Oxford, 1720); William Dugdale, 'Preface' to *The Antiquities of Warwickshire illustrated* (1656); James Wright, *The History and Antiquities of the County of Rutland* (1684).

¹⁸See Dugdale, *Antiquities of Warwickshire*, and *Monasticon Anglicanum*, 3 vols (1655-1673); Thomas Madox, *Formulare Anglicanum* (1702).

¹⁹William Charleton, *Chorea Gigantum*, second edition (1725), p.28; Francis Wise, *A Letter to Dr Mead concerning some Antiquities in Berkshire* (Oxford, 1738), p.3.

Ownership also conferred a special value on mundane objects; association items were indeed much sought after. The fact of possession rendered history a matter of commodities, something to be owned. The social circumstances involved in the making of objects was lost in the fascinated pursuit of unique individual items; Sir Walter Raleigh could only have one tobacco-stopper.²⁰ Similarly coins and statues, representations of historic individuals, were prime targets of collectors; identification, the selection of the unique from the generic, was often the focus of fierce argument.²¹ Antiquaries were among the keenest to assign works to authors; Wanley would 'endeavour to restore many hitherto anonymous Tracts to their proper Authors'; Caedmon was used as an identity to tidy up unattributed Old English poems.²² Individuals had to be guaranteed; King Arthur, Robin Hood and St. George were treated to their first biographies, while Thoresby researched intensively for

²⁰See in general Donald Horne, *The Great Museum: The Re-presentation of History* (1984), pp.16-17.

²¹See Piggott, *William Stukeley: An Eighteenth-Century Antiquary*, revised edition (1985), p. 140; and B. F. Cook, *The Townley Marbles* (1985), pp.11, 15, 24.

²²See Douglas, *English Scholars*, p.144; Percy to Warton, June 1761 and 29 November 1762, Warton to Percy 21 November 1762, *The Correspondence of Thomas Percy and Thomas Warton*, edited by M. G. Robinson and Leah Dennis (Louisiana, 1951), pp.15, 66, 72; Warton, *The History of English Poetry, from the Close of the Eleventh to the Commencement of the Eighteenth Century*, 3 vols (1774-1781), I, 2.

pedigrees of anyone.²³ Indeed, the individual's cypher was the root of his collectability, and Thoresby's museum boasted a huge collection of 'autographs', often merely a signature with no other document at all.²⁴

Whatever the actual objects involved, the basis of antiquarianism in the period was collecting. Moreover, few gentlemen sullied their hands with digging; cabinets were filled with purchases from workmen, or from dealers or at auctions.²⁵ Trading companies formed another source of acquisitions.²⁶ Wanley was not only Harley's librarian, he was his buyer, valuing and pricing manuscripts, books and coins.²⁷ Evelyn recommended searching not only shops but houses and work-places in pursuit of manuscript 'Treasure' that would be 'a thousand times worth your paines & expense'.²⁸ The death

²³See Percy, *Reliques of Ancient English Poetry*, 3 vols (1765), I, 74-76, III, 215-216; John Milner, *An Historical and Critical Enquiry into the Existence and Character of St. George* (1792); Joseph Ritson, *Life of King Arthur* (1825) and *Robin Hood*, 2 vols (1795); *Diary of Thoresby*, I, 343, 347, 395, 410, II, 5, and *Ducatus Leodiensis* (1715).

²⁴See *Ducatus Leodiensis*, pp.275-568, and *Diary of Thoresby*, passim.

²⁵See in general Gerald Reitlinger, *The Economics of Taste*, 3 vols (1961-1970), II, 55-88; Francis Haskell and Nicholas Penny, *Taste and the Antique: The Lure of Classical Sculpture 1500-1800* (New Haven and London, 1981).

²⁶See Arthur MacGregor, 'The Cabinet of Curiosities in Seventeenth-Century Britain', and Michael Hunter, 'The Cabinet Institutionalized: the Royal Society's 'Repository' and its Background', in *Origins of Museums*, pp.147-158, 159-168. See also Cook, *Townley Marbles*, passim, and Evans, *History of the Society of Antiquaries*, p.118.

²⁷See *Diary of Wanley*, passim; see also *Diary of Thoresby*, I, 230, 232, II, 63, 78, 106, 111, 162, 185, 195, 299, for purchases.

²⁸Evelyn, *Of Manuscripts*, in *Memoirs illustrative of the Life and Writings of John Evelyn, Esq.*, edited by William Bray, 2 vols (1818), II, 333-348, at p.339.

of an antiquary resulted in the recycling of one collection into several others; William Brome recorded that on looking over the catalogue of Woodward's sale 'I could not read a Page in it but I had a terrible itching'.²⁹ The internal economy of antiquarianism was strengthened by such resale. Collectors tended to hang on to catalogues as reminders of value, models of acquisition. Some catalogues were glamourized by Latin prefaces, lives or essays - the catalogue which Johnson produced for Osborne's sale of the Harley books is itself a luxury item - which enshrined in intellectual respectability the value of collecting the past.³⁰

Sometimes collections were increased by donations or exchanges; Woodward broke up his cabinet of coins and medals to barter them for fossils and other items - 'antique' coins thereby retaining an obvious economic function - while Thoresby seems almost to have regarded a donation as an entrance fee to his museum. Percy and his correspondents used each other as agents in buying and exchanging select items from local auctions.³¹ The

²⁹Quoted in Levine, *Dr. Woodward's Shield*, p.255.

³⁰See MacGregor, 'Cabinet of Curiosities', in *Origins of Museums*, p.151; *Samuel Johnson's Prefaces and Dedications*, edited by A. T. Hazen (New haven and London, 1937), pp.43-59; *Museum Southgatianum* (1795); *A Catalogue of the Library, Antiquities, &c. Of the Late Learned Dr. Woodward* (1728).

³¹See Levine, *Dr. Woodward's Shield*, p.94, 129; *Diary of Thoresby*, II, 243, 320, 349, 379; *The Correspondence of Thomas Percy & Richard Farmer*, edited by Cleanth Brooks (Louisiana, 1946), passim; *Correspondence of Percy and Warton*, passim. See also Pope to Sloane, 30 March and 22 May 1742, *Correspondence of Pope*, IV, 391, 397.

resulting collections were often the object of rapture; Thoresby records his admiration at the sheer opulence of the 'treasuries' of Sloane and others, and referred to his own collection as 'so vast a Treasure'. Sir John Clerk saw in Sloane's repository 'the greatest collection of things that ^{ever} I had seen in my life; not the Treasures of any Forreign prince can equal them'.³² The impression of cornucopian abundance clearly outstrips any sense of the information available; little was done to grant knowledge to visitors, and we should remember the security problems experienced even in early museums.³³ They remained as 'cabinets' or 'repositories', their most eloquent memorials being the catalogues of 'the genuine and valuable collection' each produced at its final sale.³⁴ Even the guides and descriptions which some museums engendered offer usually only a sense of wealth - conspicuous in the owner and vicarious in the reader, who was often also a paying visitor.³⁵ There was a tendency

³²See Thoresby, *Ducatus Leodensis*, p.xv; *Diary of Thoresby*, I, 112-118, 335, 341, 342, II, 28-32, 99, 163-164; Levine, *Dr. Woodward's Shield*, p.265; Matthew Maty, *Authentic Memoirs of the Life of Richard Mead, M.D.* (1755); Nicolson, *English Historical Library*, pp.vi-xii; and in general, Horne, *The Great Museum*, pp.14-15.

³³*Diary of Wanley*, p.lxxvii, 67; R. F. Ovenell, *The Ashmolean Museum 1683-1894* (Oxford, 1986), pp.41, 50, 66, 68, 101, 133, 147, 162-166.

³⁴Several such catalogues are preserved in British Library volumes SC. 1070 and 140.a.19.

³⁵See for example Richard Cowdrey, *A Description of the Pictures, Statues, Busto's, Basso-Releivo's, and other Curiosities at the Earl of Pembroke's House at Wilton* (1751); James Kennedy, *A Description of the Antiquities and Curiosities in Wilton-House* (1769); *The General Contents of the British Museum* (1762); *Museum Tradescantium* (1651); Cook, *Townley Marbles*, passim; Ovenell, *Ashmolean Museum*, pp.3, 88-89.

for the greatest private museums to become national institutions; the libraries of Arundel, Cotton, Rawlinson, Gough, the collections of Sloane, Harley, Montagu, Birch, Musgrave and Cracherode ended up as centralized 'cabinets', preserving individual feats of acquisition.³⁶ Walpole commented,

who that should destine his collection to the British Museum, would not purchase curiosities with redoubled spirit and pleasure, whenever he reflected, that he was collecting for his country, and would have his name recorded as a benefactor to it's arts and improvements...³⁷

There was some attempt to deny the economic status of antiquarian study; Evelyn, who appeared to despise 'this *Mart of Auctions*', theorized the coin as an index to history, while Addison held that 'you are not to look upon a cabinet of Medals as a treasure of mony, [sic] but of knowledge'.³⁸ The valuation was deliberate; a 'Golden Royal' of Edward III became a 'Medal' - 'for so I call it (tho' it also pass for Money)', wrote Evelyn.³⁹ Roman coins dug locally were at least sold for money, and Gilbert White records that 'coins that were rejected became current, and passed for farthings at the petty

³⁶See Miller, *That Noble Cabinet*, pp.28, 44-48, 58, 76, 80, 81, 89.

³⁷*A Catalogue and Description of King Charles the First's Capital Collection* (1757), p.iv.

³⁸Evelyn, *Of Manuscripts*, in *Memoirs*, II, 336, and *Numismata*, pp.69-72; Addison, *Dialogues*, pp.¹³20-21, 147. See also David Jennings, *An Introduction to the Knowledge of Medals* (1764), p.56.

³⁹Evelyn, *Numismata*, p.85.

shops'.⁴⁰ Thoresby worked out the 'intrinsic value' of his coin collection for the purpose of bequests.⁴¹ Coins, may have been 'infallible vouchers' in history but their exchange value to collectors was clear enough.⁴² Some coin literature was 'particularly calculated for the Benefit of the curious Collector of *English Coin*'.⁴³ The access granted to certain collections was prominently acknowledged, while some numismatic works, with their sumptuous plates and reproductions (with or without text) earned their titles of 'treasury', 'thesaurus' or 'cabinet'.⁴⁴ Objects from barrows were described almost in terms of loot: James Douglas promised his readers

URNS, SWORDS, SPEAR-HEADS, DAGGERS, KNIVES, BATTLE-AXES, SHIELDS, and ARMILLAE: - Decorations of Women; consisting of GEMS, PENSILE ORNAMENTS, BRACELETS, BEADS, GOLD and SILVER BUCKLES, BROACHES ornamented with Precious Stones; several MAGICAL INSTRUMENTS; some very scarce and unpublished Coins; and a Variety of other curious Relics deposited with the Dead.

⁴⁰*The Natural History and Antiquities of Selborne, in the County of Southampton* (1789), p.310; compare John Pointer, *An Account of a Roman Pavement, Lately found at Stansfield in Oxfordshire* (Oxford, 1713), p.7, and Stukeley, *Itinerarium Curiosum* (1724), pp.81, 100.

⁴¹*Diary of Thoresby*, II, 27, 439.

⁴²John Pinkerton, *An Essay on Medals* (1784), pp.12-14.

⁴³S. M. Leake, *Nummi Britannici Historia* (1726); and see Thomas Snelling, *72 Plates of Gold and Silver Coin mostly English* (1757).

⁴⁴For debts to collectors see Snelling, *An Assemblage of Coins, Fabricated by Authority of the Archbishops of Canterbury* (1772), and *A View of the Copper Coinage of England* (1762); Richard Gough, *A Catalogue of the Coins of Canute* (1777), p.3; for examples of the publications in general see Nicholas Haym, *The British Treasury; being Cabinet the First of our Greek and Roman Antiquities* (1719); James Anderson, *Selectus Diplomatum et Numismatum Scotiae Thesaurus* (Edinburgh, 1739); *Numismata in tres partes divisa* (1746).

An 'index of objects' was provided to help the reader round this profusion.⁴⁵ In the same way manuscripts had clear referential and historical functions, but were still eminently collectable simply as objects; hoards such as Cotton's and Harley's were of immense use to scholars, but they remained hoards.

Often the only writing to emerge from collections was the sale catalogue. But as with the historical 'collections' of coins, so collectable in their own right as well as of use to the collector of actual coins, antiquarian publications in the field of history yielded a sense of abundance. Thomas Rymer's twenty-volume *Foedera* and George Hickes's *Thesaurus* are equally compendious and profuse - 'so vast and rich a Fund of useful and instructive learning'.⁴⁶ Multitudinous local histories tended to offer materials or 'collections' for a history rather than history itself, part of their marketing being to draw attention to an appendix or 'repository' of 'Original Records, Letters Patents, and other material Manuscript Evidences, &c'; title pages promised 'the choicest authentick Instruments, Vouchers of the whole', or bundles of 'Records, Lieger-Books, Manuscripts,

⁴⁵Douglas, *Nenia Britannica* (1793).

⁴⁶Robert Sanderson's 'Dedication' to the King of the second edition of *Foedera*, (1727-1735), XIX; Hickes, *Linguarum Vett. Septentrionalium Thesaurus Grammatico-Criticus et Archaeologicus*, 2 vols (1703-1705).

Charters, Evidences, Tombes and Armes' - 'above an Hundred in Number'.⁴⁷

Inherent in such promises is the notion of exchange; one could purchase not merely a modern view of history, but fragments of history itself. Yet if inscriptions form 'authentick Vouchers of Antiquity', 'unquestionable evidences', they emerge into a context of credit where forgery also lurks; if evidence is required, evidence may be forged.⁴⁸ Or, at a simpler level of economic transaction, the demand for antiquities engenders forgery as it becomes more specific: an emphasis on the biographical and unique creates obvious problems of authenticity, for though artefacts may be dated generically to one age or another, what provenance could authenticate Henry VIII's nutcrackers? In such a market forgery becomes the more feared, the more readily detected and constructed as a crime.

There was a general awareness of fakes as part of the trade in antiquities; Pembroke's collection included several items rendered forgeries by his habit of adding

⁴⁷Douglas, *English Scholars*, pp.275-276; Thoresby, *Vicaria Leodiensis* (1724), pp.200-235; Dugdale, *Antiquities of Warwickshire*. Compare John Strype, *The Life and Acts of Matthew Parker* (1711). The publications on Mary Queen of Scots, discussed in Chapter 3, were similarly copious.

⁴⁸Quotations from Alexander Gordon, *Itinerarium Septentrionale* (1726), pp.104, 160; for a general example of forgery in the context of interpretation, see Walter Charleton, *Chorea Gigantum* (1663), p.36.

suitable inscriptions to non-ascribed pieces.⁴⁹ Several travellers noticed fakes on their tours, and Edward Wortley Montagu exposed one on which a particular antiquarian theory had been founded.⁵⁰ Among coin collectors the situation was even more acute:

one is perpetually in danger of being deceiv'd, and imposed on by Cheats, Falsaries, and Mercenary Fourbs: I do not mean our ordinary Coiners of False Money by Mixtures, or Alchymical Sophistications only (which among both Pagan and Christian Princes were by the severest Laws put to Torture, amputation of Hands and cruel Deaths) but by such as make a common Trade of Imposing upon the unexperienc'd in this particular of Medals...⁵¹

Evelyn goes on to detail the methods of the forgers, the coins most at risk, and the signs to tell an authentic coin - including 'a certain and altogether (I think) inimitable Vernish and Politure... which all our Falsaries are not able to accomplish with their Sal-Armoniacs, Vinegar, Paper seigning and other Applications and Compositions hitherto attempted'. Several other treatises warned against forgeries, and Boswell was among those who took counsel.⁵²

⁴⁹For a foreign view of the London trade in fakes see *London in 1710 from the Travels of Zacharias Conrad von Uffenbach*, translated by W. H. Quarrell and Margaret Mare (1934), pp.70-72.

⁵⁰See Levine, *Dr. Woodward's Shield*, pp.273-293; Spence, *Anecdotes*, pp.510, 514, 546; Lady Mary Wortley Montagu to Pope, 10 October 1716, *Correspondence of Pope I*, 366; Montagu, *Observations upon a Supposed antique bust at Turin* (1763).

⁵¹Evelyn, *Numismata*, p.209; see the whole chapter (pp.198-219).

⁵²See Levine, *Dr. Woodward's Shield*, pp. 273-274, 347; Pinkerton, *Essay on Medals*, pp.39, 46, 211, 259; *Boswell on the Grand Tour: Germany and Switzerland*, p.139.

The theme was also prominent in historical circles; suspicion began to be raised concerning many of the charters and documents that were coming to light.⁵³ The age of detection was ushered in largely by the French palaeographer Mabillon, whose work was pursued in the interesting context of a land dispute between rival religious denominations: 'the whole subject evolved from a study of the criteria by which we may know an authentic act', writes Denholm-Young, acknowledging that the study as a whole began with the idea of authenticity, but omitting to mention the specific property interest at stake.⁵⁴ The connexion between palaeography and forgery is easily traced in Wanley, who himself wrote that 'tis evident... that a man may judge of some MSS by the Hand; and of the Genuine and Spurious Works of some Authors; and of the *time* likewise, wherein they liv'd, by the style of them; but whether this be so easie a Work, and that the Rules men generally go by in these cases, are always *infallible Guides*, is what (I own) I very much doubt of'; the names of classic authors in all probability concealed a multitude of forgeries.⁵⁵ Wanley not only had to weed out forgeries in his capacity as dealer, but to present

⁵³See Douglas, *English Scholars*, pp.112-113, 219, 238; Adams, *Old English Scholarship*, pp.89, 124; Thomas Astle, *The Origin and Progress of Writing* (1784), pp.62-162; Warton, *History of English Poetry*, I, 3.

⁵⁴Noel Denholm-Young, *Handwriting in England and Wales* (Cardiff, 1954), p.2.

⁵⁵See Wanley, 'Part of a Letter', *Philosophical Transactions*, XXIV (June 1705), pp.1993-2008, at p.1993.

Harleian documents as evidence in legal cases, and to comment on possible forgeries both ancient and modern. In 1723 a fellow of University College brought Wanley

a Deed, bearing Date the 4th Year of K. Henry the Third, with a Seal as of the Chancellor of Oxford at that Time. At the first View, I perceived there was a Forgery in the Case, for the hand is that used about the Time of K. Henry IV, and the Style of the King at the Conclusion mention's the Phrase *post Conquestum*, which was not used before the Reign of K. Edward III. The Ink was weakened on purpose, that it might look Yellow, & consequently (as then thought) Antique. Mr. Denison said that he brought it to me purposely to know my opinion of it, it being to be produced this Evening before the Attorney-General...

The same fellow had already shown Wanley two receipts in the name of the Duke of Beaufort.

One of them had some words very industriously blotted out, which words might have been *Principle money wth interest*: and otherwise look's like a true Receipt. The other looks like a Forgery; some of the Marks of which are these; The Money is made received from the same person as the former; yet the Hand is plainly different, by far Stiffer, & much labor'd. The first Line so very close to the top, as if cutt off from some Letter which he had written or Subscribed with his Name at a Distance. False English & uncouth manner of writing unworthy of Him who wrote the other: and moreover the Dukes subscribed Name interfering with some of the Writing above; that seem's to have been written upon his Name, & not his Name upon the Receipt which would have been more proper...⁵⁶

The same rules, infallible or not, apply in crimes antiquarian and modern.

⁵⁶*Diary of Wanley*, I, 120, II, 261; and see I, 41-42.

Even without manuscripts, antiquaries had forgery to face: Ossian had a distinct antiquarian component, and was submitted for the inspection of Walpole and others. In Percy's correspondence with the Welsh scholar Evan Evans we find just how deeply the need to respond to Ossian influenced other publications of early poetry in the 1760s.⁵⁷ Warton also had to pronounce, and his opinion was much debated.⁵⁸ Perhaps the only English antiquary to welcome Ossian with open arms was Stukeley, who found in his own barrow-diggings 'many striking proofs, of the authenticity of your Collections'.⁵⁹ Mention of Stukeley prompts recollection of an earlier incident - his publication of Charles Bertram's 'Richard of Cirencester'.⁶⁰ This new source for Romano-British topography was adapted for use by many tourists and geographers of Scotland, in particular.⁶¹ Apart from Stukeley, whose enthusiastic advocacy provided an identity

⁵⁷See Walpole to Lord Hailes, 28 June 1760 and 14 April 1761, *Correspondence of Walpole*, XV, 69-72; *The Correspondence of Thomas Percy & Evan Evans*, edited by Aneurin Lewis (Louisiana, 1957), passim.

⁵⁸See *History of English Poetry*, I, g2v-g3v; Mason to Walpole, c.13 April 1774, *Correspondence of Walpole*, XXVIII, 148-149; *St. James's Chronicle*, 19-21 January, 21-23 March 1775; Joan Pittock, *The Ascendancy of Taste* (1973), p.206.

⁵⁹A Letter from Dr Stukeley to Mr. Macpherson, *On his Publications of FINGAL and TEMORA* (1763), p.12. Several early attempts at this essay, dating from December 1761, survive in Bodleian MS Eng. Misc. e.383.

⁶⁰For general comment see Piggott, *Stukeley*, pp.126-138.

⁶¹See Richard Pococke, *Tours in Scotland 1747, 1750, 1760*, edited by D. W. Kemp (Edinburgh, 1887), especially pp.131-132; William Roy, *The Military Antiquities of the Romans in North Britain* (1793), pp.91-142; Thomas Garnett, *Observations on a Tour through the Highlands and Part of the Western Isles of Scotland*, 2 vols (1800), II, 105.

and bibliography for Bertram's loosely-defined 'Richard', Whitaker approved the document, and even Ritson accepted it. Gibbon and O'Connor were among the first to suspect it.⁶²

Also with a Scottish connection was the ballad *Hardyknute*, supposedly recovered from a manuscript being used for thread-papers. The piece was often reprinted, with varying claims for authenticity.⁶³ Stories of its modernity, its forgery, began to circulate.⁶⁴ Nonetheless the poem spawned other hoaxes; George Steevens produced a *Hardyknute* inscription and triumphed over the Society of Antiquaries, while Pinkerton, who had mentioned coins of the same denomination, unearthed a continuation of the

⁶²Stukeley, *An Account of Richard of Cirencester* (1757); Pinkerton, *Ancient Scottish Poems* (1786), p.xxviii; Ritson, *Annals of the Caledonians, Picts, and Scots* (1828); Gibbon, *Decline and Fall*, I, 5n; O'Connor, *The Ogygia Vindicated; Against the Objections of Sir George Mackenzie* (1775), p.xix. See also Whitaker to Gibbon, 11 May 1776, BL, Add. MSS. 34886, f.76, which links the problem with Ossian. In *History of Manchester*, I, 53-59, Whitaker finds the style of the two works by Richard entirely different; errors are found at pp. 65-67, 420, 422, 436, 438.

⁶³*Hardyknute, A Fragment* (Edinburgh, 1719); *The Ever-Green, Being A Collection of Scots Poems*, 2 vols (Edinburgh, 1724), II, 247-264; *Hardyknute: A Fragment* (1740); *The Union: or, Select Scots and English Poems* (Edinburgh, 1753), pp.124-135; David Herd, *The Ancient and Modern Scots Songs, Heroic Ballads, &c.*, second edition, 2 vols (Edinburgh, 1769), I, 119-131; Percy, *Reliques* (1765), II, 87-102; second edition, 3 vols (1767), II, 94-110; fourth edition, 3 vols (1794), II, 96-112.

⁶⁴Gray to Walpole, c.April 1760, *Correspondence of Walpole*, XIV, 106; Percy to Warton, c.late June 1761, *Correspondence of Percy & Warton*, pp.17-18; Warton, *Observations of the Fairy Queen of Spenser*, second edition, 2 vols (1762), I, 156; Percy to Lord Hailes, 2 December 1762, 7 June 1763, *Correspondence of Thomas Percy and David Dalrymple, Lord Hailes*, edited by A. F. Falconer (Louisiana, 1954), pp.13-14, 21-24. For Johnson's view see *Boswell in Search of a Wife*, p.341, and compare *Boswell in Extremes*, p.117. Note that the discovery occurs in the Ossian years 1760-1763.

poem. This he later admitted to be of his own composition, fuelling yet more fulminations from Ritson and Laing about the despicable state of Scottish literary ethics.⁶⁵ Arguments concerning 'internal evidence' extended themselves to *Auld Robin Gray* as well.⁶⁶

Imitation was a skill. Wanley himself had 'an unaccountable skill in imitating any hand whatsoever' while Elizabeth Elstob had discovered a boy who 'imitated the Saxon, and other antique hands, to a wonder'.⁶⁷ According to Strype, Archbishop Parker had maintained in his family those who 'could counterfeit any antique Writing', using them to fill in the gaps in old books 'that the Character might seem to be the same throughout'.⁶⁸ Such talents, not initially being inserted into a market, were not stigmatized as forgery. Yet the adaptation of ballad texts for publication did attract comment. Percy suggested that mutilated 'fragments' might yield beautiful songs 'if supplied and filled up, in the

⁶⁵Nichols, *Anecdotes*, V, 429-431; Pinkerton, *Essay on Medals*, pp.148, 230-231, *Ancient Scottish Poems*, I, cxxvi-cxxxi; Percy to Pinkerton, 25 March 1778, Nichols, *Illustrations*, VIII, 93; Ritson, *Scottish Song*, 2 vols (1794), pp.lxi, and letter in *GM*, LII (November 1782), pp.812-814; Laing, *History of Scotland*, II, 407, *Poems of Ossian*, I, 104, 188, 452; *Horace Walpole's Miscellany*, p.118. See also Ritson, *Robin Hood*, p.lxiii, for Hardyknute's chamber pot. Pinkerton's reply contests the use of the term 'forgery': see *Letters from Joseph Ritson, Esq. To Mr. George Paton* (Edinburgh, 1829), pp.37-49.

⁶⁶See Mackenzie to Rose, 28 September and 6 November 1776, *Letters of Henry Mackenzie*, pp.191-194; Croft, *Love and Madness*, pp.12, 138-139.

⁶⁷Thoresby to Gibson, quoted in Douglas, *English Scholars*, p.136; *Diary of Thoresby*, II, 131. See also Wanley to Charlett, 26 May 1696, in Adams, *Old English Scholarship*, p.126.

⁶⁸See Adams, *Old English Scholarship*, p.17.

manner that old broken fragments of antique Statues have been repaired and compleated by modern Masters' - a relevant analogy in an age when classical statues were indeed doctored by dealers and owners for display and sale.⁶⁹ Such a practice was followed in the many editions of the *Reliques*, the fragmentary remains suggested by the title being eked out, improved, completed and polished for public consumption. The highly miscellaneous sources and documents are, for all Percy's claims to authenticity (backed up by reference to his 'Folio MS'), transformed into a monument of taste. Ritson's attack on Percy's failure to put 'fidelity' above 'ingenuity' is well known; textual criticism challenged the existence of the MS itself - to which Percy replied with the customary direction to the bookseller's shop. Ritson continued to belabour the editor with accusations of 'fabrication', 'forgery', 'imposture', 'unfairness' and 'dishonesty', proving the case with textual evidence.⁷⁰ Pinkerton fared no better - 'if he had used the same freedom in a private business, which he has in poetry, he would have been set

⁶⁹Percy to George Paton, 22 August 1774, *Correspondence of Thomas Percy & George Paton*, edited by A. F. Falconer (New Haven, 1961), p.101; Cook, *Townley Marbles*, pp.15, 29, 50; Reitlinger, *Economics of Taste*, II, 62.

⁷⁰See *Ancient Songs and Ballads, from the Reign of King Henry the Second to the Revolution*, 2 vols (1829), pp.xxix-xxxviii, *Ancient Englëish Metrical Romanceës*, 3 vols (1802), pp.cviii-cxlii; See also *Bishop Percy's Folio MS*, edited by J. W. Hales and F. J. Furnivall, 3 vols (1867), I, xvii-xx, and Haywood, 'Making of History', pp.114-149. Percy was shocked by the standard of Hailes's editing; see *Correspondence of Percy & Hailes*, pp.161-164.

on the pillory' - while Warton swindled his readers with pilfered and plagiarized material.⁷¹ The notion of exchange should once more be stressed; in an attack on the identification of some monuments in Berkshire, one writer declared that 'common purchasers will be a little shy' of the argument, that his opponent should clear the 'imposture' before 'he offers to palm his COINS and MEDALS upon us'. Similarly an antagonist of Stukelely's opposed his confident assertions: 'whilst I am paying you in true Stirling Coin, (witness the Authors quoted by me) do you think that either I or your Readers will take your own bold Brass?'.⁷² Percy's texts were corrupt, in this economy: 'the purchaseërs and peruseërs of such a collection are deceive'd and impose'd upon; the pleasure they receive is derive'd from the idea of antiquity, which, in fact, is perfect illusion'.⁷³

This is the context in which I propose to consider Chatterton and the Rowley poems

b: 'Thomas Chatterton, and Doctor Dodd'

⁷¹Scotish Song, I, pp. lxxvi-lxxvii; *Observations on the Three First Volumes of the History of English Poetry* (1782), pp. 3, 24, 32-36. For the possibility that Warton made up certain documents, see H. E. D. Blakiston, 'Thomas Warton and Mackyn's Diary', *English Historical Review*, XI (April 1896), pp. 282-300.

⁷²*The Impertinence and Imposture of Modern Antiquaries Display'd* (1740), pp. iv, vi, x, 3, 15; *A Reply, to the Peevish, Weak, and Malevolent Objections, Brought by Doctor Stukeley, in his Origines Roystonianae*, NO. 2 (Norwich and London, 1748), pp. 14-15.

⁷³Ritson, *Ancient Englëish Metrical Romanceës*, p. cxli.

Dr Dodd was arrested on 7 February 1777, thus missing by a fraction the publication of 'Poems, supposed to have been written at Bristol, by THOMAS ROWLEY, and others, in the 15th century. The greatest part now published from the most authentic copies, with an engraved specimen of one of the MSS'. The advertisement which made authenticity such a selling-point appeared in *The Gazetteer* for 8 February. This accident of dating was reinforced by the series of reviews, extracts and arguments which ran alongside the campaign for and against Dodd.⁷⁴ It happens that personal links coincide: Isaac Reed, for example, wrote a life of Dodd and edited some of his works; he also made transcripts of Chatterton and (two days after Dodd's trial) noted down Walpole's version of their exchanges.⁷⁵ Philip Thicknesse, who wrote so feelingly of Dodd, erected a sentimental memorial to Chatterton, and the same brand of macabre melancholy attended the fate^{of} each hero.⁷⁶ Mrs. Papendiek records a visit to Dodd's cell:

⁷⁴For examples see *London Chronicle* 1-4 and 8-11 March; *St. James's Chronicle* 4-6, 8-11 March and 3-5 July; *GM*, XLVII (May-July 1777), pp.205-208, 275-279, 305-307. In *London Chronicle* of 1-3 April, a coiner using the pseudonym of Rowley appeared. Ossian was also in the news: *London Chronicle*, 22-24, 27-29 May, 5-7 June; *Morning Chronicle* 8 April; *Sentimental Magazine*, V (May 1777), 231-233.

⁷⁵*The Complete Works of Thomas Chatterton: A Bicentenary Edition*, edited by D. S. Taylor in association with B. B. Hoover, 2 vols (Oxford, 1971), p.1068; E. R. Wasserman, 'The Walpole-Chatterton Controversy', *Modern Language Notes*, 54 (1939), pp.460-462.

⁷⁶*Memoirs of Thicknesse*, II, 153-155, 308-310.

There was his little inkstand upon a small table at which he constantly wrote, his chair, the table where he ate - I kissed them all. Nothing had been used since he was called to leave all earthly scenes.

Sir Herbert Croft, writing in the persona of John Hackman (a clergyman executed in 1779 for a crime of passion) described Dodd's execution, but included also a scene in the garret room where Chatterton's life ended:

I have had the - (call it what you will) to spend half an hour in this room. It was half an hour of most exquisite sensations... To look round the room; to say to myself, here stood his bed; there the poison was set; in that window he loitered for some hours before he retired to his last rest, envying the meanest passenger, and wishing he could exchange his own feelings, and intellects, for their manual powers and insensibility!⁷⁷

Dodd and Chatterton transfigured the status of forgery. Or possibly not; both could also be seen as hacks who turned to crime. The controversy had the usual grounding in legalistic 'evidence': Goldsmith took the advice of Lord Hardwicke before making his enquiries.⁷⁸ T. J. Mathias concluded that his points were true 'unless the foundations of evidence be torn up, and the basis of all legal transactions be done away', while Jeremiah Milles pleaded that 'Rowley... ought not to be dispossessed, till some other person can produce a better title... legal as

⁷⁷Papendiek, *Court and Private Life in the Time of Queen Charlotte*, I, 124-125; Croft, *Love and Madness: A Story too True* (1780), p.198.

⁷⁸Hardwicke to Goldsmith, 24 April 1771, BL Add. MS 35350, f.41.

well as poetical justice requires, that he should be allowed to speak for himself before sentence is finally pronounced against him'.⁷⁹ Tyrwhitt, who edited the 1777 *Poems*, used the notion of legal evidence to ascribe the whole authorship to Chatterton, and developed the theme:

If he had been tried for uttering a false bill, his allegation, that he found it, might have been considered as a plea of *Not guilty*; but if he had attempted to justify the genuineness of the bill by forged evidence, and had been detected in any one instance, he must have had great good luck to escape conviction, not only as accessory, but as principal in the fraud.

Malone took the same view of 'the forgeries of an attorney's clerk':

Were he charged in a court of justice with having forged various notes, and clear evidence given of the fact, corroborated by the additional testimony of his having on a former occasion fabricated a Will of a very ancient date, would a jury hesitate to find him guilty...?⁸⁰

Warton employed a very similar analogy.⁸¹

⁷⁹Mathias, *An Essay on the Evidence, External and Internal, relating to the Poems attributed to Thomas Rowley* (1783), p.111, and see pp.6-7, 106-109; Milles, *Poems, supposed to have been written at Bristol, in the Fifteenth Century, by Thomas Rowley, Priest, &c.* (1781), pp.3-4.

⁸⁰Thomas Tyrwhitt, *A Vindication of the Appendix to the Poems, Called Rowley's* (1782), p.139; Edmund Malone, *Cursory Observations on the Poems attributed to Thomas Rowley* (1782), pp.27-28.

⁸¹Thomas Warton, *An Enquiry into the Authenticity of the Poems attributed to Thomas Rowley* (1782), p.123. In *An Examination of the Poems attributed to Thomas Rowley and William Canynge* (1783), p.37, a convicted forger is the source of comparison.

Some indeed began to reject this usage. In answer to Malone, it was doubted 'which is most unfortunate, our Pamphleteer, who argues the conviction of one forgery as legal evidence on a trial for another, or the Boy on whose latter trial such evidence is accounted valid'. The situation was ripe for parody:

Gentlemen of the jury, the prisoner at the bar, Thomas Chatterton, is indicted for the uttering certain poems composed by himself, purporting them to be the poems of one Thomas Rowley... against the so frequently disturbed peace of Parnassus, to the great disturbance and confusion of the antiquary society, and likewise notoriously to the prejudice of the literary fame of him the said Thomas Chatterton.⁸²

Writing of Chatterton's mother and sister, Croft indignantly repudiated this sort of vocabulary:

A gentleman, who saw these two women last year, declares he will not be sure they might not easily have been made to believe that injured Justice demanded their lives at Tyburn, for being the mother and sister of him who was suspected to have *forged* the Poems of Rowley. Such terror had the humanity of certain curious enquirers impressed upon their minds, by worrying them to declare the truth, the whole truth, and nothing but the truth about the *forgery*.

He further accused such critics of profiting from the crime: 'Is the son to be declared guilty of forgery, are his forgeries to be converted into (I believe, no

⁸²E. B. Greene, *Strictures upon a pamphlet intitled, Cursory Observations on the Poems attributed to Rowley* (1782), p.23; *A New Review*, I (April 1782), p.218.

inconsiderable sums of) money, and is the mother's and sister's share to be five guineas?'.⁸³

This rebellion against categories, to some degree matching the softening of opinion against forgery in general, is visible even where older rules still obtain. Plagiarism was still a proof of forgery, yet one of the most extensive lists of Chatterton's 'borrowings' appears in an edition of his works.⁸⁴ Just as critics had likened Macpherson to Lauder, contemporaries began to see forgery as a discrete history of 'cases'. Mathias deemed it unfortunate for Chatterton that Lauder's forgery had already appeared; Milles saw Lauder and Macpherson as prejudicial to the claims of Rowley.⁸⁵ Johnson, both in the manner of his on-the-spot investigation and in his judgement, recalled the case of Ossian.⁸⁶ Chatterton was pigeonholed with Phalaris, Psalmanazar, the Scottish ballad *Hardyknute* and others.⁸⁷ Another forgery trial was cited by a defender of Warton; Tyrwhitt, analysing the motives for the forgery, cited the cases of Psalmanazar,

⁸³Croft, *Love and Madness*, pp.139, 131-132.

⁸⁴*Miscellanies in Prose and Verse, by Thomas Chatterton* (1778), pp.xi, xxiv-xxxii; see also Warton, *Enquiry*, p.96 and *An Examination of the Poems*, pp.12, 14, 22-23.

⁸⁵Mathias, *Essay on the Evidence*, p.93; *Poems, supposed to have been written at Bristol, in the Fourteenth Century, by Thomas Rowley, Priest, &c.*, edited by Jeremiah Milles (1781), p.27.

⁸⁶Boswell, *Life of Johnson*, III, 50-51; Johnson to Mrs. Thrale, 16 May, 22 May and 3 June 1777, and to Malone 2 March 1782, *Letters of Johnson*, II, 132, 135, 138, 464.

⁸⁷*The Prophecy of Queen Emma* (1782), pp.17, 36-39; Mathias, *Essay on the Evidence*, p.54; *Miscellanies*, p.xiv; *Rowley and Chatterton in the Shades* (1782), pp.12-28; *Examination of the Poems*, pp.6, 36.

Annius of Viterbo, and Cicarelli (hanged for a 'real' forgery).⁸⁸ The most far-reaching set is that of Croft, who mentions the ballad *Auld Robin Gray*, Ossian, Alexander Selkirk, and the author of the *Junius* letters before embarking on the full list: Ossian, Junius, Psalmanazar, Walpole's work on Richard III, his *Castle of Otranto*, the Douglas cause, Mickle's *The Concubine* (a Spenserian imitation of 1767), *Hardyknute*, Parnell's hoax with *The Rape of the Lock*, and Fontenelle's story about a Russian pretender.⁸⁹

To some extent an indiscriminate category of literary fraud was a commonplace at this period.⁹⁰ Boswell's list we examined in the last chapter; and Ritson fulminated against a whole catalogue of forgers, Scottish and otherwise.⁹¹ These lists do serve to isolate and negate the literature described. Yet in Chatterton's case many of the lists emanate from his admirers; forger he may have been, but forgery no longer entailed such stigma. Like Dodd, Chatterton was the subject of some rather purple elegies; a fated figure, 'the unfortunate Chatterton', his ignominious suicide, like Dodd's judicial crucifixion, paradoxically sealing his 'genius': 'Unfortunate boy!

⁸⁸*Examination of the Poems*, p.37; Tyrwhitt, *Vindication of the Appendix*, pp.140, 187. Compare Milles, *Poems*, pp.155, 516.

⁸⁹*Love and Madness*, pp.209-211. For the Parnell episode see Goldsmith, *The Life of Thomas Parnell, D.D.* (1770), pp.45-46.

⁹⁰See Haywood, 'Making of History', Appendix Three.

⁹¹See *Scottish Song*, 2 vols (1794), pp.lxi, lxx; *The Life of King Arthur* (1825), pp.xvii-xviii.

short and evil were thy days, but thy fame shall be immortal'.⁹²

A special focus for the changing status of literary forgery in relation to the logic of criminal procedure is found in the writings of Chatterton's early contact and ever-attentive critic, Horace Walpole. From 1772, when *The Execution of Sir Charles Bawdin* was published, Walpole kept tabs on every publication in the controversy, swapping commentary and justification with Cole and Mason. Macpherson and Psalmanazar were favourite sources of comparison, while 'imitation' or 'plagiarism' formed the chief argument against the poems themselves. But as with Phalaris and Bentley, personal veracity became the issue: at the centre of Walpole's concern was the accusation against himself - he hoped 'one is not guilty of the death of every man who does not make one the dupe of a forgery. I believe Macpherson's success with Ossian was more the ruin of Chatterton than I'.⁹³ Still the rumours of Walpole's neglect persisted. He drew up an 'account of my intercourse with Chatterton' in the form of a letter to William Bewley dated 23 May 1778, but was rather coy about releasing it.⁹⁴ In the meantime, however, a stronger attack had appeared in an edition of Chatterton's

⁹²Vicesimus Knox, *On the Poems attributed to Rowley*, in *Essays Moral and Literary*, 2 vols (1782), II, 247-251.

⁹³To Mason, 28 May 1772, 17 February 1777, to Cole 19 June 1777; *Correspondence of Walpole*, XXVIII, 36, 281-282, II, 51-52.

⁹⁴See letters to Cole, 21 May, 3 and 10 June 1778; *Correspondence of Walpole*, II, 80, 85, 90.

Miscellanies in Prose and Verse (1778); this roused Walpole's anger, and he wrote to Mason that Chatterton was 'a consummate villain, and had gone enormous lengths before he destroyed himself. It would be cruel indeed if one was to be deemed the assassin of every rogue that miscarries in attempting to cheat one'.⁹⁵ The defence was enlarged, though still not published.⁹⁶

Mason took matters into his own hand by composing a poem on the subject which, though never finished or published, was partly printed. The heroic efforts of Douglas in unmasking Lauder and Bower are repeated in Walpole's rejection of Chatterton, but since 'Scottish kingcraft reassumed the throne' and after Macpherson's installation as forger and pensioner, the tables are turned: Walpole is 'indicted' for his 'crime' in denouncing Chatterton. The lawyer judges it 'falsely delicate; so over-nice; /To deem poetic forgery a vice'. Mason makes a joke of a point that others made serious: 'Not to discriminate is mighty odd, /'Tween Thomas Chatterton, and Doctor Dodd'.⁹⁷

In the new year 200 copies of the defence were printed for private distribution. More of these copies were

⁹⁵Letter dated 24 July 1778, *Correspondence of Walpole*, XXVIII, 422-423. See also Walpole to Cole, same date, II, 102.

⁹⁶See Cole to Walpole, 4 and 17 August and 18 October, Walpole to Cole, 15 and 22 August 1778, *Correspondence of Walpole*, II, 103-112, 126-129; Walpole to Mason 10 August, Mason to Walpole 14 August 1778, *Correspondence of Walpole*, XXVIII, 425, 428-429.

⁹⁷*An Epistle to the Honourable Horace Walpole*; see Mason to Walpole, c.22, c.25 August, and Walpole to Mason, 25 and 28 August 1778, *Correspondence of Walpole*, XXVIII, 430-432, 435-438 and XXIX, 373-374.

begged as controversy grew.⁹⁸ In 1780 Croft's *Love and Madness* appeared; posing as a series of letters between John Hackman and Martha Ray, its own genuineness was questioned by Walpole (and Johnson).⁹⁹ The letter on Chatterton, the spuriousness of which Walpole argued at length, contained much detail about Walpole's contact with the poet. This was followed late in 1781 by two epic works: Jacob Bryant's *Observations upon the Poems of Thomas Rowley: in which the Authenticity of those Poems is ascertained*, and Jeremiah Milles's edition of the *Poems*, 'with a commentary, in which the antiquity of them is considered, and defended'. Bryant deployed weighty historical explanation, but relied at root on the notion that the poems were 'written too much from the heart to be a forgery',¹⁰⁰ while Milles argued on the grounds of probability and Chatterton's personal character. Even before publication, Walpole and his friends had trashed both books, ridiculing the leaden erudition of the antiquaries.¹⁰¹ Walpole invoked Ossian once more and compared the forgeries to apocryphal scriptures; documents

⁹⁸One was begged by the Lauder expert, John Bowle: to Walpole, 28 December 1782, *Correspondence of Walpole*, XLII, 42-45.

⁹⁹Walpole to Cole, 13 March 1780, *Correspondence of Walpole*, II, 204-205; Boswell, *Life of Johnson*, IV, 187. But see *The Love Letters of Mr. H. & Miss R. 1775-1779*, edited by Gilbert Burgess (1895), pp.v-xvi.

¹⁰⁰Bryant, *Observations*, pp.344, 461.

¹⁰¹See for example Walpole to Cole, 21 May 1778, Cole to Walpole, 14 July 1779 and 30 June 1781; to Mason 14 April 1781, from Mason 16 December 1781; *Correspondence of Walpole*, II, 81, 92, 172, 277-278, XXIX, 129, 169.

revealed Chatterton's character - 'There was a lad of too nice honour to be capable of forgery! - and a lad, who, they do not deny, forged the poems in the style of Ossian, and fifty other things'.¹⁰²

Walpole rejoiced at the scholarly rejoinders to these pieces: Malone's *Cursory Observations*, Tyrwhitt's *Vindication*, and Warton's *Enquiry* all appeared in 1782.¹⁰³ After more chivvying Walpole finally gave Nichols permission to reprint his *Letter of defence* in *The Gentleman's Magazine*.¹⁰⁴ To some extent the controversy faded, and in June Walpole wrote that neither Ossian nor Rowley would ever be explained to everyone's satisfaction.¹⁰⁵ Yet he was still apprehensive, and was picking up attacks as late as 1794.¹⁰⁶ Michael Lort, whose researches at Bristol were among the most extensive, persuaded George Gregory to re-write his unfavourable review of Walpole's conduct in his life of Chatterton.¹⁰⁷

¹⁰²To Lady Ossory, 19 December 1781; to Cole, 30 December 1781; *Correspondence of Walpole*, XXXIII, 316-317, II, 287-289.

¹⁰³See Walpole to Malone, 4 February 1782, to Cole, 30 December 1781, to Buchan 15 September 1782, to Mason, 23 March 1782; *Correspondence of Walpole*, XLII, 1-4, II, 287-288, XV, 165, XXIX, 206.

¹⁰⁴*GM*, LII (April-July 1782), pp.189-195, 247-250, 300, 347-348. See Mason to Walpole, 10 March, Walpole to Mason, 14 March, Cole to Walpole, 16 May, Walpole to Cole, 24 May 1782; *Correspondence of Walpole*, XXIX, 195-198, II, 318-319.

¹⁰⁵To Lord Buchan, 2 June 1782; *Correspondence of Walpole*, XLII, 13-14.

¹⁰⁶To Hannah More, 13 November 1784; to Mary Berry, 17 April 1794; *Correspondence of Walpole*, XXXI, 222, XII, 94.

¹⁰⁷Lort to Walpole, 10 November 1788, Walpole to Lort, 12 and 21 November 1788; *Correspondence of Walpole*, XVI, 212-216. Gregory's biography was published in *Biographia Britannica* (5 vols, 1778-1793), IV, 573-619, and republished as *The Life of Thomas Chatterton, with Criticisms on his Genius and Writings* (1789).

It was to Lort that Walpole turned when William Barrett, the Bristol surgeon who had encouraged Chatterton, published two of Walpole's letters to the poet.¹⁰⁸ Walpole denied the letters outright. He authorized Lort to deny them in conversation, and claimed his veracity might be proved

if my letters and his with their dates, if preserved, were to be produced, for he had mine certainly and I returned his. And were the two letters, now printed, suddenly demanded, I am persuaded they would have no postmarks - unless counterfeited. My letters they have shamefully kept suppressed - yet it will be no wonder, if after my death, spurious ones are produced, which candour will not trust, as, though called on by me, they have unhandsomely concealed them.

Walpole repudiated the letters again later in the year.¹⁰⁹ But in 1792 several periodicals reopened the cause; one of Walpole's letters to Chatterton was republished, in a notarized copy with a certificate of Walpole's hand.¹¹⁰ In his frantic denial Walpole repeated his fear that 'a farther forgery hereafter is meditated':

as similitude of hands may be forged, no notary public will persuade any fair person, that a harsh letter, circumstantiating my want of truth, and which I have dared and defied any person possessed of such a paper to exhibit

¹⁰⁸Walpole to Lort, 27 July 1789, *Correspondence of Walpole*, XVI, 219-220. Barrett's *History and Antiquities of the City of Bristol* (1789) contained several Rowley pieces.

¹⁰⁹To Hannah More, 10 September 1789; see also Lort to Steevens, 7 August 1789; *Correspondence of Walpole*, XXXI, 325-326, XVI, 225.

¹¹⁰See Walpole to Lady Ossory, 17 July 1792; *Correspondence of Walpole*, XXXIV, 148-151, where the details are given.

publicly, could exist, and would not have been produced to my confusion, while I am living - when I shall be dead it can only recoil on the fabricators; and therefore I shall beseech your Ladyship to preserve this letter, and permit it to appear, if you shall ever hereafter see such a false accusation arise...

Once more we can see a clash of authentic manuscript proofs.

Walpole followed the controversy with close attention, keeping a library of annotated Chattertonia and press cuttings. At the end of his life he grouped together some definitive writings on Chatterton for inclusion in his monumental *Works*.¹¹¹ Throughout it was necessary for Walpole to prove that the poems were forgeries and that Chatterton was the forger - that he had been right to reject both. The correspondence with Cole and Mason bolstered Walpole's version of events. But it was in *A Letter to the Editor of Miscellanies of Thomas Chatterton*, the expanded letter of defence, that Walpole put the themes at their most powerful. Seeing himself accused as some kind of heartless prosecutor, Walpole deposited Chatterton in the ranks of Psalmanazar and Macpherson - and, by implication, Dodd.¹¹² Though it was no 'grave crime in a young bard to have forged false notes of hand

¹¹¹*The Works of Horatio Walpole, Earl of Orford*, 5 vols (1797), IV, 204-245.

¹¹²Walpole received ironic praise for this technique: 'I much approve of the repetition of Psalmanazar's name, and indeed of as many impostors as we can well crowd together, they cannot be rung too often into the ears of the public'; *The Genuine Copy of a Letter Found Nov. 5, 1782, near Strawberry Hill* (1783), pp.11-12.

that were to pass current only in the parish of Parnassus', yet legal analogy made sense:

the cause of Rowley's poems would not last an hour in a court of law. If Chatterton had pretended to find a hoard of crown-pieces, but stamped with the face and titles of Edward IV, and if it were proved that he had coined half of them, would a jury doubt a moment but that he had coined the other half?

For his own part,

is it not hard that a man on whom a forgery has been tried unsuccessfully, should for that single reason be held out to the world as the assassin of genius? If a banker to whom a forged note should be presented, should refuse to accept it, and the ingenious fabricator should afterwards fall a victim to his own slight [sic] of hand, would you accuse the poor banker to the public, and urge that his caution had deprived the world of some suppositious deed of settlement, that would have deceived the whole court of chancery, and deprived some great family of its estate?

Nor was this mere analogy; by encouraging Chatterton, Walpole would have

encouraged a propensity to forgery, which is not the talent most wanting culture in the present age. All of the house of forgery are relations; and though it is just to Chatterton's memory to say, that his poverty never made him claim kindred with the richest, or most enriching branches, yet his ingenuity in counterfeiting styles, and, I believe, hands, might easily have led him to those more facile imitations of prose, promissory notes...¹¹³

¹¹³Quotations from pp.213, 217, 218. On the likelihood that Chatterton would have ended up on the gallows see Croft, *Love and Madness*, p.132 and Knox, *On the Poems ascribed to Rowley*, p.249.

This makes explicit much that has been implicit in the material of this study, and does so at a time when the metaphorical connection 'twixt Thomas Chatterton, and Doctor Dodd' was under attack. Walpole received a letter 'abusing me, for saying in my defence that *all of the house of forgery are relations*'; writing to Lort, he developed his point but asserted that he had acquitted Chatterton of 'any such guilt'.¹¹⁴ It was true; Chatterton 'made no scruple of extending the circulation of literary credit, and of bamboozling the misers of Saxon riches; but he never attempted to defraud, cheat, rob, unpoetically'.¹¹⁵ Moreover, Chatterton's 'gigantic genius' was as evident to Walpole as it was to everyone else, even Johnson. But while Walpole could write of Chatterton as 'a complete genius and a complete rogue',¹¹⁶ the puzzling rift between Chatterton as forger of banknotes and Chatterton as sentimental genius remains - as glaringly in Walpole as anywhere else. Part of the vocabulary of constraint derives from the market in literature as a whole, but this is intensified by the notions of peculiarly antiquarian exchange we began with. To this we will now turn our attention.

¹¹⁴See Walpole to Lort, 12 November 1788; compare to Cole 24 May 1782; *Correspondence of Walpole*, XVI, 214-215, II, 319.

¹¹⁵*Letter to the Editor*, p.218; compare p.213.

¹¹⁶To Mason, 24 July 1778; compare to Lady Ossory, 4 July 1785; *Correspondence of Walpole*, XXVIII, 424, XXXIII, 475.

c: Walpole, Chatterton, Money

The transaction between Chatterton and Walpole takes place in a general literary as well as a specifically antiquarian context. One of Walpole's few serious antiquarian works is the *Historic Doubts on the Life and Reign of King Richard the Third* (1768), which Croft cited as a source for Chatterton. The case against Richard is destroyed by dismissing the evidence as unworthy of a court. Walpole's own scrupulousness - 'in this whole work I have not gone beyond my vouchers' - is contrasted with the Whig-historical discovery of monkish forgeries:

What donations and charters were . . . forged, for which those holy persons would lose their ears, if they were in this age to present them in the most common court of judicature?¹¹⁷

Among Walpole's other writings is *A Detection of a late Forgery called Testament Politique du Chevalier Robert Walpoole*, in which the son declared that

there are some forgeries which it ^{may be} necessary to expose, lest malice and ill-designing men should treasure them up... and consign them to posterity, like base metals, which become revered for the heads with which they have been stamped, or valued for their antiquity, which bestows a kind of authenticity upon them...

¹¹⁷See pp. vii, 10, 99, 103-104.

The detection was completed in the classic manner, the editor being 'called upon to produce the original MS. in sir Robert Walpole's own hand'.¹¹⁸ Such things were part of the literary scene. Lord Lyttleton's letters, another Lyttleton's poems and Choiseul's memoirs, and poems ascribed to Walpole himself: such personal documents all had to be judged.¹¹⁹ Citing the letters of Pope Ganganelli, Walpole writes 'this age^{too} deals so much in false coinage that booksellers and Birmingham give equal vent to what is not sterling, with the only difference that the shillings of the latter pretend the names are effaced, and the wares of the former pass under borrowed names'.¹²⁰ Surprisingly for such a sceptic, Walpole was an advocate of Bower, and thought the 'six letters' were clear forgeries.¹²¹

Walpole himself was accused of at least two forgeries; the hoax letter from Frederick, King of Prussia, to Rousseau brought an anguished rejoinder in which it was said that Walpole had 'even dared to transcribe his Signature, as if [he] had seen it written under his own

¹¹⁸See *Works of Walpole*, II, 323-338.

¹¹⁹See Walpole to Mason 10 July 1775 and 4 June 1780, *Correspondence of Walpole*, XXVIII, 211, XXIX, 2-3; *Horace Walpole's Miscellany*, pp.87-88, 112; *Walpoliana*, II, 71; A. T. Hazen, *A Bibliography of Horace Walpole* (1948), p.172.

¹²⁰To Hannah More, 17 August 1788, *Correspondence of Walpole*, XXXI, 277-278. The letters of Ganganelli were under discussion in 1777: *London Chronicle*, 13-15 and 24-27 May, 27 May-3 June.

¹²¹To Mann, 23 February and 24 July 1756, *Correspondence of Walpole*, XX, 531-534, 580. Walpole's editors (n.14 to the first letter) declare with an interesting lack of reserve that Douglas wrote the letters.

Hand'.¹²² Then there was *The Castle of Otranto: A Gothic Story* (1765), which claimed to be 'translated by William Marshall, Gent. From the Original Italian of Onuphrio Muralto', found in a black letter copy in the library of a Northern family of Catholics. The preface to the second edition (also 1765) explained Walpole's authorship and the title page dropped the references to Muralto and Marshall; but these reappeared on the Dodsley editions of 1782, 1786 and 1791, and on three other English editions. Some were indeed taken in.¹²³ As Chatterton asked, 'didst thou ne'er indulge in such Deceit? /Who wrote Otranto?'.¹²⁴

Forgery was also part of London scandal. In 1749, Theodore, Baron Neuhoff, the much-travelled diplomat and spy who was elected King by the Corsican leaders in their struggle against Genoa and France, was arrested in London and imprisoned for debt. Walpole raised somewhat whimsical public appeals on his behalf and after his death erected a memorial to him, yet regarded him as a rogue and

¹²²See F. A. Pottle, 'The Part Played by Horace Walpole and James Boswell in the Quarrel between Rousseau and Hume: A Reconsideration', in *Horace Walpole, Writer, Politician, and Connoisseur*, edited by W. H. Smith (New Haven and London, 1967), pp. 255-291.

¹²³See the editions for Edwards (1791), Wenman and Hodgson (1793) and Cooper and Graham (1796); Mason to Walpole, 14 April 1765, *Correspondence of Walpole*, XXVIII, 5; and *Monthly Review*, XXXII (February 1765), pp.97-99.

¹²⁴'Walpole! I thought not', in *Works of Chatterton*, I, 341. Pinkerton defended Walpole against the charge (made by many others): *Walpoliana*, I, xxv-xxvi.

impostor.¹²⁵ Theodore acquired noble patronage, but 'played so many tricks, and counterfeited so many bonds and debts, that they withdrew their money'.¹²⁶ This is the only instance of such a charge against Theodore, though he was said to have been lured from hiding by a forged letter purporting to be from Lord Granville and his coinage, according to Boswell, was so much in demand that it attracted the virtuoso forger (Theodore had in any case employed a counterfeiter named 'Seven Brains' as his moneyer).¹²⁷ There are other occasions when Walpole introduces a forgery charge against some state criminal.¹²⁸ Indeed, the interest in the subject was not merely casual; Walpole possessed accounts of the forgers William Smith, John Rice, Charles Price, Nuncomar, Dodd, the Perreau brothers and Mrs. Rudd.¹²⁹ He used James Gibson, the attorney whose execution for forgery so

¹²⁵See *The World*, no.8 (22 February 1753); Walpole to Mann 27 April 1753, 6 June, 29 September 1757, *Correspondence of Walpole*, XX, 373-374, XXI, 39-40, 45. Volume XVIII contains the extensive correspondence on the subject between Walpole and Mann while Theodore was negotiating through Venice.

¹²⁶See the *Supplement* to the Theodore papers, in *Works of Walpole*, I, 156.

¹²⁷To Mann, 25 July 1750, *Correspondence of Walpole*, XX, 164; Boswell, *An Account of Corsica*, *The Journal of a Tour to that Island* (1768), pp.102-103; Valerie Pirie, *His Majesty of Corsica* (1939), p.297.

¹²⁸Against Clive of India and Captain Combe, for example; to Mason, 15 May 1773, 18 April 1777, *Correspondence of Walpole*, XXVIII, 87, 303; compare Mason to Walpole, 13 March 1778, *ibid.* 368.

¹²⁹See A. T. Hazen, *A Catalogue of Horace Walpole's Library*, 3 vols (1969), I, 100, 464, II, 5, 24-25, 35, 123, 216, III, 26, 123, 246. Walpole owned *An Authentic Account of the Life and Memoirs of Mr. William Smith* (1750), which told (pp. 11-16) of the forger's involvement in a plot to blackmail his elder brother Edward on a charge of sodomy.

impressed Boswell, to make a political point to Cole, and the Perreaus, or rather Mrs. Rudd, formed a useful source of commentary on public life. Walpole plaits literary, criminal and political threads in writing of Macpherson's *History*:

Can you suspect such a worthy person of forgery? could he forge Ossian? - I forgot in excuse for the town, to tell you that it is very busy about a history of two Perrius and a Mrs. Rudd, who are likely to be hanged for misapplying their ingenuity. They drew bills, instead of rising from the pillory to pensions by coining anecdotes against the author and friends of the Revolution... To return to Ossian...¹³⁰

Walpole's letters form a commentary on the fate of Dodd, and early in 1777, when that case, along with Chatterton's, was just beginning, several letters complain that 'the present world seems composed of forgery...'.¹³¹ The comments on Chatterton are to some extent of a piece with this preoccupation with forgery.

Yet the antiquarian focus is relevant. Walpole often poked fun at the credulity and dishonesty of antiquaries; 'I was the first soul that ever endeavoured to introduce a little taste into English antiquities', he writes to Mason, taste being the grace that saves the study of the

¹³⁰To Mason, 14 April 1775; *Correspondence of Walpole*, XXVIII, 192.

¹³¹On Dodd see Cole to Walpole, 21 February; Walpole to Lady Ossory, 29 June; to Mason 13 March and 6 July 1777; *Correspondence of Walpole*, II, 34-35, XXXII, 360-361, XXVIII, 288-289, 319. On forgery in general see to Cole, 27 February, to Mason 13 March 1777, *ibid.* II, 40, XXVIII, 288.

past.¹³² Serious antiquaries were dull, interested only in anonymous 'bumps in the ground'.¹³³ Taste was the key to Walpole's museum-house; everything a collector's item, antiques in continuity with pictures.

Walpole described himself as having 'always... haunted auctions'. He annotated and bound up sale catalogues and edited several enumerative lists of famous collections, again stressing prices and buyers.¹³⁴ He described his own collection in several opulent 'inventories', many of them printed, and introduced it as a reconstitution of such abundance: 'The following collection was made out of the spoils of many renowned cabinets; as Dr. Meade's, lady Elizabeth Germaine's, lord Oxford's, the duchess of Portland's, and of about forty more of celebrity'.¹³⁵ This does not merely enhance the possessability of these relics; 'The mention of cabinets in which they have

¹³²Letter dated 10 July 1775, *Correspondence of Walpole*, XXVIII, 213. On antiquaries see *Walpoliana*, I, 74; *The World*, no.160 (22 January 1756) and *The Museum*, II (April 1746); *Hieroglyphic Tales*, edited by K. W. Grose, Los Angeles 1982, last tale; *Reminiscences*, in *Works of Walpole*, IV, 271-318, at p.273.

¹³³To Cole, 25 April 1775, and compare the letters dated 27 April 1773 and 1 September 1778, *Correspondence of Walpole*, I, 309, 368, II, 116.

¹³⁴To Mann, 13 February 1760, *Correspondence of Walpole*, XXI, 368; *A Catalogue of the Curious Collection of Pictures of George Villiers, Duke of Buckingham* (1758); *A Catalogue and Description of King Charles the First's Capital Collection of Pictures* (1757); *The Duchess of Portland's Museum*, edited by W. S. Lewis (New York, 1936); *Catalogue of Walpole's Library*, II, 316, 321, 538, III, 45, 85, 130, 212, 228.

¹³⁵*A Description of the Villa of Mr. Horace Walpole*, (1784), p.ii. See also *A Catalogue of Pictures and Drawings in the Holbein Chamber at Strawberry Hill* (1760) and *Aedes Walpolianae*, in *Works of Walpole*, II, 221-278.

formerly been... will contribute to ascertain their originality, and be a kind of pedigree to them'; 'nor do virtuosos dislike to refer to such a catalogue for an authentic certificate of their curiosities'.¹³⁶ Ownership confers authenticity, enhancing value.

Walpole bought extensively at auctions, sometimes through agents, sometimes at the suggestion of Mason or Cole, sometimes in person.¹³⁷ Previous owners, whether as collectors or historical figures, bestow the highest value; describing himself as 'an absolute auctioneer', Walpole tells Mann how his assistance in marketing two collections led to his acquisitionⁱ of John Dee's unique 'magical speculum'.¹³⁸ Apart from actual bits of people - hair from Edward IV, Mary Tudor, Robert Walpole - Walpole acquired Wolsey's hat, Mary Stuart's comb, George II's watch, William III's spurs, the Earl of Pembroke's billiard cues, James I's gloves and Fairfax's watch (the two last from Thoresby's sale); he refused the heel of Charles I's boot, and was a bit dubious about his dining

¹³⁶See *Aedes Walpolianae*, p.225; *Description of the Villa*, p.ii, and *Catalogue and Description of King Charles the First's Collection*, p.iii.

¹³⁷See for example Walpole to Cole, 15 July 1769, 23 October 1771, 18 February and 7 April 1773, 28 March 1779, *Correspondence of Walpole*, I, 179, 244, 300, 305, II, 150; Mason to Walpole, 20 May 1780, 9 November 1781, *ibid.* XXIX, 41, 163.

¹³⁸Letter dated 22 March 1771, *Correspondence of Walpole*, XXIII, 286-287; see further Hugh Tait, '"The Devil's Looking Glass": The Magical Speculum of Dr John Dee', in *Horace Walpole, Writer, Politician and Connoisseur*, pp. 195-212.

forks.¹³⁹ Pieces ascribed to famous artists were of similar rank: Walpole bartered all his Roman brass medals, one of which was 'unique, for the unique thing in the world, a silver bell for an inkstand made by Benvenuto Cellini'.¹⁴⁰

Such connoisseurship in relics of unique individuals had its price; Walpole's *Anecdotes of Painting in England* is full of questions of authenticity (of likeness as well as style), provenance, and imitation. Thomas Worlidge made a living by faking Rembrandts - 'proved to be a very easy task, by the numbers of men who have counterfeited that master so as to deceive all those who did not know his works by heart'.¹⁴¹ Similarly the *Catalogue of Royal and Noble Authors*, by concentrating on a historical elite, is steeped in questions of authorship and attribution - including the controversies concerning Mary Queen of Scots, *Eikon Basilike*, Clarendon and even Phalaris.¹⁴²

Literary and antiquarian values meshed. Walpole's antiquarianism, based as it is on extensive exchange,

¹³⁹Examples from *A Catalogue of the Classic Contents of Strawberry Hill* (1842) and *A Description of the Villa*. See also Walpole to Mason, 24 October 1777, to Cole, 1 June 1776, *Correspondence of Walpole*, XXVIII, 339, II, 13.

¹⁴⁰To Mann, 12 February 1772, *Correspondence of Walpole*, XXIII, 383.

¹⁴¹Edition by Ralph N. Wornum, 3 vols (1888), II, 334; see also *Walpoliana*, I, 74.

¹⁴²Classical and antiquarian scholarship were not necessarily distinct: Tyrwhitt, the editor-detector of Rowley, had also contributed to the debate on the authorship of AEsop and Shakespeare: *Observations and Conjectures upon some Passages of Shakespeare* (Oxford, 1766); *Dissertatio de Babrio, fabularum aesopearum scriptore* (1776).

barter-valuation, and unique possession, adds a strong set of economic forces to the general literary matrix of forgery and authenticity. In his hack-work Chatterton fastened on the traditional aspects of such antiquarian zeal, picturing a set of virtuosi, including 'Horatio Trefoil' and 'Counterfeit the Jew' pronouncing a brass half-penny 'to be an Otho'. Trefoil later becomes 'Baron Otranto' in a more serious attack on Walpole's studies.¹⁴³ The reverse of this coin is found in Rowley and Canynge, the key figures in Chatterton's medieval Bristol. Canynge is a collector of historical art and writing, Rowley is his agent, buyer and librarian; 'the chief recurring element that defines the relationship between Rowley and Canynge is money'.¹⁴⁴ As Canynge's confessor Rowley is well paid, but greater is in store; Canynge tells him 'if you will leave the Paryshe of our Ladye and travelle for mee, it shall be mickle to your profite, I gave my Hande and hee tolde mee I must goe to all the Abbies and Pryories, and gather together auncient drawynges, if of any Account; at any Price...'. The price tends to be right:

The Abbot... sithence he solde it mee myghte have bargayn'd 20 Markes better, but Mastere William woulde not

¹⁴³See *The Woman of Spirit* and *Memoirs of a Sad Dog*, in *Works of Chatterton*, I, 636-639, 651-662.

¹⁴⁴Donald S. Taylor, *Thomas Chatterton's Art: Experiments in Imagined History* (Princeton, 1978), pp.106-107.

dispart wyth it... In briefe, I gather'd together manie Markes value of fyne drawynges.

Canygne is a merchant - 'Trade is the Soule of the Worlde but Monie is the Soule of Trade' - as well as a connoisseur:

Fadre you have done mickle well, all the Chattils are more worth than you gave, take this for your paines, so saying, hee did put into my Handes a Purse of twoe Hundred goode Poundes...¹⁴⁵

Like all the best antiquaries, Canynge has his 'cabinet' - 'the moste pretyous Performance in Englande', replete with collections of armour, coins, carvings, a glove belonging to William the Conqueror's son, and historical manuscripts - 'a Gemme wordye the Crowne of a Kynge'. 'I gotten it moste', Rowley says of the museum.¹⁴⁶

Chatterton himself played the antiquary in this mould:

I have made a very curious Collection of Coins and Antiques. As I cannot afford to have a gold Cabinet to keep them in I commonly give them to those who can - If you can pick up any Roman Saxon English Coins or other Antiques even a sight of them would highly oblige me.¹⁴⁷

The Rowley documents were sometimes sold to Barrett, Burgum and Catcott, sometimes offered as a means of

¹⁴⁵*Brief Account of William Cannings*, in *Works of Chatterton*, I, 51-53.

¹⁴⁶*England's Glorie revyved in Maystre Canynge, and Yellowe Rolle Of the Auntient Forme of Monies*, in *Works of Chatterton*, I, 63-67.

¹⁴⁷To Stephens, 20 July 1769, *Works of Chatterton*, I, 338-339.

obtaining loans, assistance, credit. Chatterton's complaints about the meanness of his contacts are based on a sense of injured exchange value:

Gods! what would Burgum give to get a name
And snatch his blund'ring Dialect from Shame
What would he give to hand his Mem'ry down,
To times remotest Boundary - a Crown.
Would you ask more? his swelling Face looks blue
Futurity he rates at Two Pounds Two...

And so on: 'Promise and never pay and be the Mode /Catcott for thee...'; 'If ever obligated to thy Purse /Rowley discharges all'.¹⁴⁸ Offering Aella to Dodsley was a way for Chatterton to buy his way out of Bristol and into London - a guinea was asked into the bargain - and in London, it has been suggested, Chatterton abandoned Rowley for the more remunerative Ossianic style.¹⁴⁹ Warton had a simpler view of the mercenary Chatterton: 'an adventurer, a professed hireling in the trade of literature, full of projects and inventions, artful, enterprising, unprincipled, indigent, and compelled to subsist by expedients'.¹⁵⁰ Walpole (as Malone opined, the model for Canynge as unsatirized antiquary) was the next potential

¹⁴⁸Will, in *Works of Chatterton*, I, 501-502.

¹⁴⁹To James Dodsley, 15 February 1769, *Works of Chatterton*, I, 171-2; Taylor, *Chatterton's Art*, p.282.

¹⁵⁰See 'Emendations and Additions', in *History of English Poetry*, II, i3v-4, and II, 141-158.

patron, one who shared an interest in heraldry and genealogy.¹⁵¹

By 1769 Walpole had published several catalogues, a work on the history of painting, a controversial account of Richard III and a successful Gothic novel. His house was becoming a landmark of antiquarian taste. Chatterton chose to introduce himself for the same reasons cited by Cole and (later) Bowle, as a fellow antiquary offering material to fill gaps in Walpole's work - in this case *The Ryse of Peynting for Anecdotes of Painting in England*.¹⁵² Walpole returned 'a thousand thanks' for the offer, declaring the manuscript 'very valuable and full of information' but not wishing to 'borrow and detain your MSS'.¹⁵³ In answer came another long piece, this time accompanied by less than scholarly requests: Chatterton

informed me that he was the son of a poor widow, who supported him with difficulty; that he was clerk or apprentice to an attorney, but had a taste or turn for more elegant studies; and hinted a wish that I would assist him with my interest in emerging out of so dull a profession, by procuring him some place... he affirmed

¹⁵¹Malone, *Cursory Observations*, pp.24-25. Much of the correspondence with Cole concerned Walpole's family, and it was Burgum's pedigree that Chatterton felt had been sold so cheaply. See Walpole to Cole 5 June and 14 December 1775, Cole to Walpole 2 September 1764, 9 June 1775, 29 August 1778, 7 April 1779, *Correspondence of Walpole*, I, 73, 374-378, II, 115, 153; Chatterton, *Craishes Herauldry and Account of the De Berghams*, in *Works of Chatterton*, I, 47-48, 316-338.

¹⁵²See Cole to Walpole, 16 May 1762; Bowle to Walpole, 28 December 1782, *Correspondence of Walpole*, I, 1-11, XLII, 42-45.

¹⁵³Chatterton to Walpole, 25 March, Walpole to Chatterton 28 March 1769, *Correspondence of Walpole*, XVI, 101-106.

that great treasures of ancient poetry had been discovered in his native city...¹⁵⁴

The exchange between the 'place' and the 'treasure' was now too obvious, and Walpole rejected the pieces, telling Chatterton to labour at his work to 'make a fortune'. Chatterton repeated the general validity of his offerings but acknowledged angrily that 'poverty attends literature'.¹⁵⁵ Three versions of a letter demanding the return of the transcripts were written, the final one (the version sent) pared the issue down to one of property and value:

Being fully convinced of the papers of Rowley being genuine, I should be obliged to you to return the copy I sent you... Mr Barrett, a very able antiquary, who is now writing the history of Bristol, has desired it of me; and I should be sorry to deprive him, or the world indeed, of a valuable curiosity, which I know to be an authentic piece of antiquity.

Further letters attack the issue of restitution.¹⁵⁶

The Chatterton manuscripts remained a focus of money. After Chatterton's death, as Croft protested, a good deal of profit was made out of them, and this element alone gives an economic context for detecting forgery.¹⁵⁷ But

¹⁵⁴Chatterton to Walpole, 30 March; *Correspondence of Walpole*, XVI, 107-112.

¹⁵⁵Walpole to Chatterton, c.4 April; Chatterton to Walpole, 8 April, *Correspondence of Walpole*, XVI, 112-113.

¹⁵⁶Chatterton to Walpole, 14 April, 24 July; Walpole to Chatterton, c.27 July-4 August 1769, *Correspondence of Walpole*, pp.113-118.

¹⁵⁷For the deals see E. H. W. Meyerstein, *A Life of Thomas Chatterton* (1930), pp.115, 452, 457.

they were also evidence against the prevailing view of monkish barbarity, material for Bristol history, for the history of painting, and 'vouchers for the fidelity' of Tyrwhitt's edition.¹⁵⁸ At another level, the manuscripts were the most authentic evidence of the fraud:

I cannot think that there was much intrinsic worth in that scrap of writing; but it might have had an accidental value as an evidence of the guilt of the unhappy Youth who produced it, and as a criterion by which some judgement might be formed of the authenticity of other writings which he produced...¹⁵⁹

Many simply were deeds, wills, or legal powers - all crucial in antiquarian studies, all collectable, and yet all property documents in their own right.

We have seen how Wanley's studies in literature and history find in the detection of forgery a common essence; disguised ink, style of composition and freedom of handwriting all formed clues. The same was true with Rowley:

a very young limb of the law might see, and copy in a small quantity, the handwriting in use three centuries ago, and also give his parchments the colour of antiquity

¹⁵⁸See in particular Chatterton to Dodsley, 15 February 1769, the notes to *The Bristowe Tragedie, Rolle of Seyncte Bartholemeweis Priorie*, and *The Antiquity of Christmas Games*, in *Works of Chatterton*, I, 6, 17, 146, 172, 411; Tyrwhitt to Catcott, 1 March 1777, Bristol Central Library MS. B.5342, f.139.

¹⁵⁹Robert Chambers, apologizing to Percy for the loss of a parchment entrusted to him, 9 November 1789; in A. Watkins-Jones, 'Bishop Percy, Thomas Warton, and Chatterton's Rowley Poems (1773-1790)', *PMLA*, L (1935), pp.769-784, at p.778.

by smoke-drying them in the chimney (as some veterans have done by title-deeds to an estate)...¹⁶⁰

Two accomplices testified that Chatterton had 'blacked' his parchments over a candle flame and aged them with ochre and dust.¹⁶¹ Percy, with another expert (the Duke of Northumberland's agent) dismissed the style and script of one parchment as inconsistent and clumsy, and moreover found the parchment itself a 'glaring and undoubted Fraud':

evidently stained yellow on the back with Oker, to look like old parchment; but the fraud is so unskilfully performed, that you may see stain & besmearings on the other side; and if you rub the back with a^{wet} white handkerchief it will be stained with the oker. He hath also contrived an Ink (than which nothing is more easy) that should be very faint and yellow; which being washed with an Infusion of Galls would naturally become blacker.¹⁶²

Similarly in the courts, palaeographical evidence concerning handwriting, the artificial ageing and dyeing of documents, and other chemical methods did form a chief

¹⁶⁰GM, XLVII (May 1777), p.206.

¹⁶¹See Croft to Steevens, 5 February 1782, in Warton, *Enquiry*, pp.113-123; Milles, *Poems*, pp.436-440; Meyerstein, *Life of Chatterton*, pp.119-121, 455.

¹⁶²Percy to Lord Dacre, 6 September 1773; printed in Watkins-Jones, 'Bishop Percy, Thomas Warton, and Chatterton's Rowley Poems',⁷⁴ See also Walpole's marginalia, *Correspondence of Walpole*, XVI, 342, 350.

part of the prosecution.¹⁶³ Literary values seemed to chime in:

I observe there is a Stiffness, as if the Person was got into an unusual Course: It wants the Freedom of an Original; they are pretty well done, but there is a Heaviness which will be in all Copies.¹⁶⁴

In the Introduction and Chapters Two and Three, we saw how the language of the courts could be applied to literature, supposedly as an absolute point of reference but with a clear place within a relatively new body of theory. Literary economies, centering in individual authorship, determined a specific kind of anxiety, with attendant techniques dedicated to securing and distinguishing categories of forgery and authenticity. In this final chapter, it has appeared that reactions to the crime of forgery (as mediated through literature) and to literary forgery, followed the same sort of curve and division: Dodd/Chatterton as saint/genius, the same pair as hypocrite/adventurer - or any combination of the two.

¹⁶³See the trials of Dominick Fitzgerald and James Lee, Richard Becklake, and Nicholas Campbell, *OBSP*, 4-8 December 1741, p.12, 10-16 September 1755, p.323, and 16-19 January 1761, p.79; see further the trial of George Nicholas, *Select Trials at the Sessions-house in the Old Bailey*, 4 vols (1742), I, 121-123; *The Whole Trials of Mr. Robert Powell... and of Edward Burch and Matthew Martin* (1772), pp.41-44; Defoe, *History of the Press-Yard*, p.43; and James Austin's advertisement for indelible ink, *Post Boy*, 2-4 June 1715.

¹⁶⁴See the trial of Richard Brabant, 1741, in *Select Trials at the Sessions-House in the Old Bailey*, IV, 325-329, at p.328; compare *Genuine Memoirs of the Lives of William Morley and William Shutler* (Bristol, 1783), pp.12-13.

The courts were still an example to prove a literary case, and Walpole's usage of the terms provided a particular focus. Antiquarian studies were imbricated in several kinds of economy, forming a nexus between literary and legal disciplines, thus adding an edge to the discovery of fraud in their realm: here again Walpole's special interests sharpened the issue.

These themes meet in Chatterton's manuscripts, the locus of acquisition, the site of controversy and evidence in innumerable causes.¹⁶⁵ Although legal terms could be used metaphorically (as by some parodists), or could appear through some nebulous cultural osmosis, the similarity between the techniques used by Percy, Wanley and in the courts indicates an essential unity across a whole culture, where literary documents denoted (at some level) money, and money was (at some level) a specific form of literature.

Chatterton, despite being a lawyer's clerk, was never in any legal trouble. Yet the complex economic layers into which his work was locked combined to produce a case against him. In speculating that 'all the house of forgery are relations' Walpole after all hit a central truth, though a less limited one than at first appears.

¹⁶⁵The story was repeated with W. H. Ireland: Ritson, for instance, thought he had used 'a chemical preparation, (well known, it seems, to forgers of notes)...'; to Paton, 21 July 1795, *Letters from Ritson to Paton*, pp.28-31.

APPENDIX ONE: FORGERY TRIALS

a: Chronological List of Cases tried at the Old Bailey,

1715-1780

The main source of the following list is *The Proceedings on the King's Commission of the Peace, Oyer and Terminer, and Gaol-Delivery of Newgate, Held for the City of London and County of Middlesex at Justice Hall, in the Old Bailey*, published eight times per year after each sessions. I have used the complete set published on microfilm by Harvester Press Microform Publications Ltd. The sessions were numbered from the annual election of the Lord Mayor of London, and hence the first session of each year is held in December of the previous year: the sessions for 1715 run from December 1714 to October 1715, assuming the year to change on 1 January. References are given as follows: the date of the sessions (the first and last days of sitting up to 6 December 1775, after which only the first day is given on the title page); page number on which the trial begins; name of the accused, with profession if given; the document in question, with value if given; the verdict; the sentence for those convicted; the date of execution, if known, or other details of the outcome. The absence of an execution date for those sentenced to death should not be taken to indicate a reprieve or pardon. 'Pleaded her belly' indicates that a female convict claimed to be pregnant, in

which case a sentence of death would be respited until the child was born.

Normally individuals were indicted on several counts - forging a document, causing it to be forged, uttering or publishing it while knowing it to be forged. Dr Dodd was indicted on eight counts, but others rated twenty-four or more. In this list (as often in *OBSP* itself) the precise offences are not reproduced, nor is alteration of a document, or endorsement of it, differentiated from outright fabrication. Some types of fraud, such as obtaining goods by false tokens, appear somewhat similar in execution to forgery, but only those offences specifically prosecuted as forgery have been included.

Abbreviated sources are cited as follows: AN = John Villette, *The Annals of Newgate; or, Malefactor's Register*, 4 vols (1776); MR = *The Malefactor's Register; or, The Newgate and Tyburn Calendar*, 5 vols (1779); CNC = *The Complete Newgate Calendar*, edited by J. L. Rayner and G. T. Crook, 5 vols (1926); STOB = *Select Trials at the Sessions-house in the Old Bailey*, 4 vols (1742); THF = *The Trial of Henry Fauntleroy and other famous Trials for Forgery*, edited by Horace Bleackley (Edinburgh and London, 1924); BEW = W. Marston Acres, *The Bank of England from Within* (1931).

1715

8-13 December 1714, p.2: Stephen MEAD; bill of exchange, £200; guilty; fine, pillory.

14-17 January 1715, p.4: Robert WILLIAMS; note of hand, £64; guilty; fine, pillory.

2-4 June 1715, p.2: John BIGG, merchant; Bank of England note, £100; special verdict; later found guilty and sentenced to death, but pardoned. [See also *MR*, I, 176-178; Defoe, *History of the Press-Yard*, pp.43-49; *BEW*, pp.120-126.]

-----, p.3: Christopher LYDDEL; bill of exchange; acquitted.

1716

22-25 February 1716, p.2: Frances WETHERIDGE and Jane COLE; warrant and power of attorney to receive mariner's wages; both guilty; fine, pillory, prison.

-----, p.3: Nathaniel BRIDGEMAN and Thomas SKELTON; indenture, to receive mariner's wages; both guilty; fine, pillory, prison.

-----, p.5: Eleanor FORREST, Jane COLE, Anne AARON, Alice JOYNER; power of attorney to receive mariner's wages; all guilty; fine, pillory, prison.

6-10 September 1716, p.6: John POTTEN; Order from the Admiralty concerning mariner's wages; guilty; fine,

pillory, prison (but information he gave about a prison break would be taken into account).

1717

5-10 November 1716, p.7: Robert CHILD; note of hand, £81; acquitted.

-----, p.7: Thomas GRAY; receipt, £5; guilty; fine, prison.

-----, p.7: Benjamin FULCIS, Sarah LANGSDALE, Ann HEATHCOT; bill of sale; all guilty; pillory, prison.

-----, p.7: Ann LILLY; power of attorney to receive mariner's wages; guilty; pillory, prison.

-----, p.7: Sarah AMBROSE; mariner's will; guilty; pillory, prison.

-----, p.7: Mary FREEMAN; letter of attorney to receive mariner's wages; acquitted.

-----, p.7: Christian VICKERS; power of attorney to receive mariner's wages; guilty; pillory, prison.

11-14 January 1716, p.4: Elizabeth BOREMAN; mariner's will; guilty; fine, prison.

-----, p.6: Elizabeth HOLLIDAY; letter of attorney to receive mariner's wages; acquitted.

-----, p.6: Mary FREEMAN; power of attorney to receive mariner's wages; guilty; fine, prison, pillory.

[Acquitted on a similar charge at the previous sessions.]

27 February-2 March 1717, p.8: William WATSON and Elizabeth WATSON; mariner's will; WW guilty; fine, pillory; EW acquitted.

1-4 May 1717, p.5: Mary HINCHLEY; mariner's will; guilty; pillory.

16-17 October 1717, p.5: William LONGSTAFF; note, £15; guilty; pillory, fine.

1718

4-7 December 1717, p.7: P---- B----; power of attorney to receive soldier's wages; acquitted.

1719 - no cases

1720

27-29 April 1720, p.3: Timothy CARY; mariner's pass; acquitted.

-----, p.7; Thomas DAY: lottery tickets; acquitted.

1721

25-27 May 1721, p.8: Robert BARKER; lease; acquitted.

11-14 October 1721, p.2: Eleanor PARIS; lottery tickets; acquitted.

1722

6-13 December 1721, p.3: Thomas VINCENT, James ANDERSON, Bridget PRICHARD, Mary KEA, Elizabeth GREEN, John MARTIN, Robert WIMBERLEY; will; acquitted.

12-15 January 1722, p.3: George NICHOLAS; Bank of England note, £80; guilty; death; reprieved. [See also *STOB*, I, 121-123; the petition from his father, PRO, SP 35/30/20; *BEW*, pp.120-126.]

4-6 April 1722, p.4: John FRANCIS and Elizabeth FRANCIS; note of hand, £25; JF guilty, prison, fine; EF guilty, prison.

7-12 September 1722, p.5: Benjamin SHAMBLER; note to transfer South Sea stock, £82 10s; guilty, death.

-----, p.7: John ASH; promissory note, £137; guilty; pillory, fine, prison.

1723

16-18 January 1723, p.6: Elizabeth BATES; letter of attorney to receive mariner's wages; guilty; pillory, fine, prison.

1724

17-20 January 1724, p.7: Isaak YEWEL; bill of exchange, £130; guilty; pillory, fine, prison.

26 February-4 April 1724, p.7: Frederick SCHMIDT; Bank of England note, £100; guilty; death; hanged 29 April. [See also *STOB*, II, 87-89; *AN*, I, 223-236; *BEW*, p.125.]

12-14 August 1724, p.7: Joseph OLIVER; lottery ticket; acquitted.

14-21 October 1724, p.4: Abraham DEVAL, lottery clerk; receipt, £52 12s; guilty; death.

1725

24-27 February 1725, p.5: Francis KITE; Bank of England note, £70; guilty; pillory, fine, prison.

-----, p.6: John LEMON and John TERRIL; bail bond; guilty; fine.

13-15 May 1725, p.5: Michael FENNEL; sailor's pass; guilty; pillory, prison.

1726 - no cases

1727

12-15 April 1727, p.7: Leah WILKINSON; mariner's will; guilty; pillory, prison.

-----, p.8: Eleanor TAVERNER; mariner's will; acquitted.

-----, p.8: Mary JONES; letter of administration to receive mariner's wages; guilty; pillory, prison.

-----, p.8: Mary SMITH; letter of administration to receive mariner's wages; acquitted.

5-8 July 1727, p.6: Mary JONES and Mary FREEMAN; letter testamentary to receive mariner's wages; acquitted. [For JONES see previous sessions.]

1728 - no cases

1729

4-7 December 1728, p.6: Paul KERNEY; bill of lading; guilty; pillory, fine, prison.

-----, p.7: William HALES, goldsmith; promissory note, £6400; guilty; sentenced at next sessions.

16-21 January 1729, p.5: William HALES; note of hand, £800; guilty.

-----, p.6: Thomas KINNERSLEY, clergyman; note of hand, £1260; guilty.

-----, p.7: HALES and KINNERSLEY; note of hand, £1650; both guilty; pillory, fine, prison. [See also *STOB*, III, 97-106, and Rhodes, *Craft of Forgery*, pp.219-220. Both men died in Newgate in April.]

26 February-5 March 1729, p.5: William MARSDEN; note, £5 10s; guilty; fine, pillory.

15-20 October 1729, p.8: Peter COFFEY; promissory note £18 15s; error in indictment, retried next sessions.

1730

3-6 December 1729, p.21: Peter COFFEY; promissory note, £18 14s; guilty; death. [Apparently the first to be tried under the new statute.]

-----, p.22: Samuel JOBSON and John SCOTT; note of hand, £200; acquitted.

14-19 October 1730, p.22: John DAWSON; promissory note £30; acquitted.

1731

4-9 December 1730, p.12: Gerald William MONGUIBERT; promissory note, £60; acquitted.

15-20 January 1731, p.10: Thomas BARTLETT; promissory note, £10 10s; acquitted on error in indictment.

-----, p.21: William MAYNEE, bank clerk; Bank of England note, £50; guilty; death. [See also *GM*, I (January 1731), p.26.]

28 April-3 May 1731, p.10: John BASTOCK; receipt, £10 7s 7d; acquitted.

2-4 June 1731, p.13: Robert COOPER, victualler; bond, £25; guilty; death; hanged 16 June [See also Moore, *Unparallell'd Impostor*, p.iii; *Fog's Weekly Journal*, 5 June 1731.]

13-15 October 1731, p.15: James LEWIS; letter of attorney to receive mariner's wages; acquitted.

1732

8-13 December 1731, p.17: Mordecai Jacob DUBRIES; bill of exchange, £450, to defraud Bank of England; guilty; fine, pillory.

-----, p.25: Elizabeth SHERLOCK and John CARRICK; note of hand; both acquitted.

25-29 May 1732, p.134: Edmund CHEESEBOROUGH; promissory note, £50; guilty; death; committed suicide. [See also *STOB*, III, 360; *AN*, II, 150-152.]

6-9 September 1732: James LEWIS; mariner's will; acquitted. [See above, 13-15 October 1731.]

1733

4-7 April 1733, p.120: William STEDMAN, the elder, and William STEDMAN, the younger; promissory note, £1 15s 9d; both acquitted.

10-12 May 1733, p.140: William LAMBATCH; order for goods; guilty; pillory, fine, prison.

-----, p.147: Anne INOTT; false entry in marriage register; acquitted.

10-12 October 1733, p.213: Edmond BOURK, weaver; promissory note, £4000; acquitted. [See also *Weekly Magazine*, 18 August 1733; *Daily Courant*, 14 September and 12 October 1733.]

1734

24-26 April 1734, p.106: William FLETCHER; receipt, £10 8s; guilty; death.

1735

11-17 September 1735, p.146: James NORTHALL; promissory note; acquitted.

15-17 October 1735, p.166: Thomas DEVENISH, promissory note, £100; acquitted. [Connected with the case of NORTHALL, previous sessions.]

1736 - no cases

1737

20-23 April 1737, p.82: Simon STANTON; receipt, £200, to defraud South Sea Company; acquitted.

26-28 May 1737, p.126: John SIMMONDS; promissory note, £5; guilty; death. [Acquitted on a charge of sending threatening letters.]

-----, p.135: William FRANKLYN; receipt, £11 16s; acquitted.

6-9 July 1737, p.147: Catherine LENG; mariner's will; guilty; death.

7-9 September 1737, p.190: John HICKMAN; promissory note, £56; guilty; death.

1738

7-12 December 1737, p.2: Jonathan JORDAN and Robert STEPHEN; promissory note, £3 6s; both acquitted.

22-25 February 1738, p.43: William RUSSELL; receipt, £13 13s 3d; acquitted.

12-15 April 1738, p.77: P---- H---- and F---- A----; promissory note, £10 14s; both acquitted.

18-20 May 1738, p.89: Thomas CROSS; order to pay £75, to defraud private bank; guilty; death; transported for life at the sessions of 3-4 June 1742.

-----, p.89: Richard CAR; same offence; special verdict.

28 June-1 July 1738, p.114: William NEWINGTON, clerk; order to pay £120, to defraud bank where he was clerk; guilty; death; hanged 26 August 1738. [See also *STOB*, IV, 302; *AN*, III, 3-10; *MR*, II, 319-323; *CNC*, III, 82-84.]

1739 - no cases

1740

27 February-1 March 1740, p.94: James HOLDEN; receipt, 12s 6d; acquitted.

16-19 April 1740, p.133: Edward BARTON, attorney; bond, £83; acquitted.

22-24 May 1740, p.156: Rochford FITZGERALD; order to pay £12; acquitted.

15-18 October 1740, p.273; Thomas BATES, tobacconist, and Elizabeth BATES; will; both acquitted.

1741

25 February-2 March 1741, p.8: Richard BRABANT; order to pay £52 10s, to defraud private bank; guilty; death; hanged 18 March. [See also *STOB*, IV, 325-329; *AN*, III, 40-49.]

1742

4-8 December 1741, p.10: Dominick FITZGERALD and James LEE; mariner's will; both guilty; death; hanged 13 January 1742.

11-19 January 1742, p.37: Charles CONNOR; bill of sale, assigning mariner's wages; acquitted. [Also acquitted on a larceny charge.]

24-27 February 1742, p.49: William PLUMMER; order for goods; guilty; death; hanged 7 April 1742.

28 April-3 May 1742, p.74: John FLANEGAN; promissory note, 20s; acquitted.

-----, p.80: Robert RHODES; mariner's will; guilty; death; hanged 12 July.

3-4 June 1742, p.120: Henry ROOKE; certificate, to defraud a charity; guilty; pillory, prison.

1743

14-19 January 1743, p.52: John TIGH, coachman, Samuel HERBERT, Richard PHILIPS, wig-maker, and John ADAMS, pawn-broker; general release; TIGH guilty; death; the others acquitted.

12-17 October 1743, p.275: J--- W---, labourer; promissory note, £20; acquitted.

1744

10-12 May 1744, p.135: Sarah LOWTHER; mariner's will; guilty; death; pleaded her belly.

-----, p.138: Mary COOKE; mariner's will; acquitted.

28 June-2 July 1744, p.180: Ann BROGDON; mariner's will; acquitted.

-----, p.182: Frances STANTON; mariner's will; acquitted.

[Previously tried for perjury, 4-6 April 1744, p.104.]

-----, p.184: John HAMMOND; letter of release; guilty; fine, prison, pillory. [Previously tried for a sort of forgery, 14-17 July 1742, p.20; acquitted.]

1745

27-28 February 1745, p.97: Robert CATHERALL; bill of exchange, £21; acquitted, but committed for perjury. [Previously acquitted of larceny, 28 June-2 July 1744, p.218.]

10-11 July 1745, p.191: Thomas ROBINSON, victualler; bill of exchange, £63 17s; acquitted.

11-14 September 1745, p.335; James WELCH; order to pay £6; acquitted on error in indictment.

16-17 October 1745, p.242: James WOLFE; promissory note, £100; guilty; death.

1746

17-20 January 1746, p.37; Richard WARNER; bill of exchange; special verdict.

26-27 February 1746, p.91: John Peter MAYAFREE, clerk in counting house; lottery tickets; guilty; death; recommended to mercy.

15-17 May 1746, p.179: Thomas FINCH; promissory note, £11; acquitted.

15-17 October 1746, p.286; bill of exchange, £21 15s; guilty; death.

1747

5-9 December 1746, p.22: Peter de la FOUNTAIN, soldier; promissory note, £220; guilty; death; respited; transported in 1752. [See also *MR*, IV, 30-37.]

16-19 January 1747, p.58: Hugh PELLING; warrant from South Sea Company; acquitted.

14-16 October 1747, p.266: George LANCASTER, attorney's clerk; assignment of mariner's will; guilty; death; hanged 16 November 1747. [See also *MR*, III, 151-155; *CNC*, III, 141-142.]

1748

24-27 February 1748, p.113: John PARKES; order for goods; guilty; death. [See also *MR*, III, 158-161.]

26-28 May 1748, p.197: Daniel BLAKE; indictment for forgery dropped; convicted of perjury and impersonation.

12-14 October 1748, p.289: Richard PLAISTOWE, soldier; promissory note, £5 5s; acquitted.

1749

7-12 December 1748, p.9: Joshua REED; mariner's ticket; acquitted.

-----, p.12: Thomas JONES; bill of exchange, £300, to defraud private bank; guilty; death.

-----, p.16: Charles YATES; note, £60; acquitted.

11-13 May 1749, p.97: Hugh TOFFE; orders to pay £200 and £20, and mariner's will; acquitted.

-----, p.98: Catherine CONWAY; mariner's will; guilty; death; pleaded her belly.

-----, p.103: Thomas BOSTOCK; receipt, 10s 10d; acquitted.

5-10 July 1749, p.115: John CROPLEY; bills of exchange, £200, £30, £150; acquitted, but ordered for trial at Hick's Hall for 'high crimes and misdemeanours'.

-----, p.120: John POE; order to pay £3 13s 6d; guilty; death.

6-14 September 1749, p.148: Henry LONG; mariner's ticket; acquitted.

11-13 October 1749, p.163: Joseph DANCER; bill of exchange, £4; acquitted.

-----, p.166: Thomas YALDEN; letter of attorney to receive mariner's wages; acquitted on one count, special verdict on another.

1750

17-20 January 1750, p.41: Mary WOOD; order to pay £9; guilty; death; pleaded her belly.

28 February-7 March 1750, p.51: James YOUNG; mariner's will; guilty; death.

-----, p.63: Antonio FRANCISCO; note; acquitted.

25-30 April 1750, p.72: Thomas PERRY; mariner's ticket; guilty; death.

-----, p.84: Charles CUSINS; note; acquitted.

30 May-1 June 1750, p.73: James MILLER; mariner's ticket; acquitted.

12-19 September 1750, p.114: William SMITH, attorney's clerk; bill of exchange, £45; guilty; death; hanged 3 October. [See also *The Deceitful Irishman and Artful Cheat* (1750); *An Authentic Account of the Life and Memoirs of Mr. William Smith* (1750); AN, III, 187-197; MR, III, 258-264.]

-----, p.145: Ann HAWKINGS; order for goods; acquitted.

-----, p.149: Richard HARLING; receipt, 10s; acquitted.

17-19 October 1750, p.169: Elizabeth DAVIS; letter of attorney to receive mariner's wages; guilty; death; pleaded her belly.

1751

5-11 December 1750, p.25: William FLOYD, stockbroker; receipt; acquitted.

-----, p.34: William BAKER, sugar-baker; order for goods, to defraud East India Company; guilty; death; hanged 31

December 1750. [See also *AN*, III, 209-214; *MR*, III, 294-297; *CNC*, III, 212-213.]

-----, p.37: Catherine CONNOR; mariner's will; guilty; death; pleaded her belly.

16-21 January 1751, p.46: Hugh DUNN; order to pay £50 18s 6d; guilty; death.

-----, p.58: Jeremiah SULLIVAN; letter of attorney to receive mariner's wages; guilty; death.

-----, p.63: William LLOYD; letter of attorney to receive mariner's wages; acquitted.

27 February-4 March 1751, p.92: Richard BUTLER; mariner's will; guilty; death; hanged 10 February 1752. [See also *MR*, III, 302-306.]

-----, p.94: John CARR; letter of attorney to receive mariner's wages; guilty; death. [See also *MR*, III, 284-290; *CNC*, III, 190-194.]

-----, p.109: Mary CARNEY; bill of sale, transferring mariner's wages; guilty; death; pleaded her belly.

-----, p.111: George BARTEY; order to pay on mariner's ticket; guilty; death.

17-22 April 1751, p.139: John HARRIS; bill of exchange, £75; acquitted.

-----, p.158: Catherine COLLINGS; mariner's will; acquitted. [Connected with Richard BUTLER, tried 27 February-4 March 1751, p.92.]

23-27 May 1751, p.189: Thomas BRIDE; mariner's will; acquitted.

-----, p.194: Henry BYTON; receipt, £5 5s, for mariner's wages; guilty; death.

3-6 July 1751, p.226: Daniel JURDAN; will; acquitted.

-----, p.238: William BROWN; letter of attorney to receive mariner's wages; guilty; death.

11-18 September 1751, p.258: William SPARRY and Thomas MORVIL; receipt, £18 2s 6d; both acquitted.

-----, p.277: John SMITHSON and Rebecca ELDRE; bond, £500; both acquitted.

1752

4-7 December 1751, p.36: Robert BAKER; receipt, 8s 3d; acquitted.

19-26 February 1752, p.86: Stephen SMITH; order to pay mariner's wages; acquitted.

-----, p.89: Thomas FOX, Barnard AGNUE and Thomas GALE; promissory note, £25 4s (to obtain mariner's wages); all guilty; death; hanged 23 March.

-----, p.103: John ANDREWS; receipt, £14 10s 10d (for mariner's wages); guilty; death; hanged 23 March. [See also *MR*, III, 378-382.]

-----, p.110: Ann LEWIS; power of attorney to receive mariner's wages; guilty; death; respited.

14-16 May 1752, p.191: Thomas SOMERS; promissory note, £3 19s; acquitted.

25-30 June 1752, p.219: Thomas SCOT; bill of sale, transferring mariner's wages; guilty; respited; sentenced to death at the sessions of 2-5 July 1755 (p.264).

-----, p.220: Robert WINROW: bill of sale, transferring mariner's wages; guilty; death; hanged 13 July.

-----, p.237: Joseph JOYCE; bill of exchange, £10; guilty; death; hanged 13 July.

-----, p.238: Chichester ENCLEDON; promissory note, £13 13s; acquitted.

14-20 September 1752, p.244: Jane JOYCE; bill of exchange, £14 15s; acquitted. [Wife of Joseph JOYCE, tried 25-30 June 1752.]

-----, p.249: Susannah MILWARD; note, £20; acquitted.

26-30 October 1752, p.292: Edward SPELMAN; deed, £37736 6s; acquitted.

-----, p.306: John WERGE, clerk; bill of exchange, £40; acquitted.

1753

6-8 December 1752, p.5: William CLARK; order to pay £287 15s 9d; guilty; death.

11-15 January 1753, p.72: Timothy MURPHY, mariner's will; guilty; death; hanged 12 February. [See also *The Trial of Timothy Murphy* (1753).]

2-7 May 1753, p.156: Thomas JONES; order for goods; guilty; death; hanged 28 May.

6-10 September 1753, p.267: John DAILEY; power of attorney to receive mariner's wages; guilty; respited; sentenced to death at the sessions of 2-5 July 1755 (p.264).

1754

16-21 January 1754, p.79: Thomas WOMERSLEY; bill of exchange, £36; acquitted on error in indictment.

27 February-6 March 1754, p.118: John PICKERING; order to pay £55; acquitted.

30 May-1 June 1754, p.188: Thomas WOMERSLEY; bill of exchange, £36, to defraud private bank; guilty; death. [Previously tried, 16-21 January 1754.]

-----, p.218: George WATSON, servant; bill of exchange, £40 15s; guilty; death.

17-22 July 1754, p.249: James WATKINS, bailiff; receipt; acquitted.

23-28 October 1754, p.324: Oliver MAKABASTER; mariner's will; acquitted.

1755

10-16 September 1755, p.323: Mary SKELTON and Susannah KNIGHT; promissory note, £20, to defraud private bank; both acquitted.

-----, p.323: Richard BECKLAKE; deed; acquitted.

1756

4-9 December 1755, p.12: William RUTHERFORD, paper-maker; warrant to pay £21; guilty; death.

15-19 January 1756, p.79: Andrew BRINKWORTH; promissory note £30; guilty; death.

25-28 February 1756, p.103: John PARKIN, lawyer's clerk; bills of exchange, £10, £17; guilty; death.

3-5 June 1756, p.234: Samuel ARROWSMITH; bill of exchange, £100; acquitted, but sent for trial at Gloucester.

14-17 July 1756, p.248: John HUTCHINS, mariner; order to pay £25 10s; acquitted. [Convicted of a 'fraud' at Hick's Hall the previous day.]

20-22 October 1756, p.338: John HUGHES; bill of exchange, £25; guilty; death.

1757

8-10 December 1756, p.29: John MILWARD; bill of exchange, £60; guilty; death.

23-26 February 1757, p.95: Richard HUGHES, tailor; letter of attorney to transfer £500 South Sea Company annuities; guilty; death. [See also *MR*, IV, 103-105.]

20-25 April 1757, p.145: William ADAMS, clerk; certificate for £252 1s 1/2d wine duty; guilty; death; hanged 18 May. [See also *AN*, IV, 29-32; *MR*, IV, 105-106; *CNC*, III, 260-261.]

13-16 July 1757, p.252: Sarah CANE, vintner; bill of exchange, £46; acquitted.

-----, p.263: Eleanor EDDOWES; bond, £2000; guilty; death; hanged 5 October.

14-19 September 1757, p.319: Andrew SCOTT; promissory note, £25, to defraud private bank; guilty; death; hanged 5 October.

1758

7-9 December 1757, p.24: James WRIGHT, John AMBURY, Samuel FINDER and Francis BELLAMY; promissory note, £65; all acquitted.

22-27 February 1758, p.140: Samuel FISHER; bill of exchange, £20; acquitted.

5-7 April 1758, p.166: Richard William VAUGHAN; Bank of England note, £20; guilty; death; hanged 1 May. [See also AN, IV, 52-59.]

-----, p.172: William BOODGER; bill of exchange, £40; guilty; death; hanged 1 May.

10-11 May 1758, p.217: Caleb DAVIES; bond; acquitted. [Apparently a conspiracy by attorneys.]

28-29 June 1758, p.244: James CARRIER, wool dealer; bill of exchange, £180; guilty; death; hanged 2 October.

13-16 September 1758, p.287: Jervas SHAW; order to pay £7 12s 6d; acquitted.

-----, p.297: John BLOOD; receipt, £5; acquitted, and case referred to Chancery.

1759

6-8 December 1758, p.37: Henry WHITE; receipt for goods; acquitted.

17-19 January 1759, p.79: Charles HOWARD, tailor; promissory note, £7 3s; acquitted.

30 May-1 June 1759, p.165: James DUN, apprentice to music-shop-keeper; bill of exchange, £100; acquitted.

-----, p.194: John WRIGHT; bill of exchange, £140, to defraud Bank of England; acquitted.

24-26 October 1759, p.326: Thomas USHER, bill of exchange, £250, to defraud private bank; acquitted.

-----, p.348: John AYLIFFE, steward; deed; guilty; death; hanged 19 November. [See also Roe, *The Ordinary of Newgate's Account of the Behaviour... of John Ayliffe* (1759); *The Case of the Orphan and Creditors of John Ayliffe* (1761); *GM*, XXIX (November and December 1759), pp.548-549, 578-580; *MR*, IV, 147-151; *CNC*, III, 285-288; *THF*, pp.154-164.]

1760

21-23 May 1760, p.181: Samuel WILLSON, merchant; bond, £600; acquitted.

-----, p.198: John PENNINGTON; bill of exchange, £80; acquitted.

1761

16-19 January 1761, p.55: George BARBER; bill of exchange, £50, to defraud private bank; guilty; death.

-----, p.72: Nicholas CAMPBELL; promissory note, £1350; guilty; death.

1-4 April 1761, p.183: Thomas DAVIS; order to pay £4 4s due to mariner; guilty; death.

6-8 May 1761, p.205: John BRETT; bill of exchange, £50; guilty; death; hanged 27 May. [See also AN, IV, 72-76.]

16-21 September 1761, p.327: Donald CAMPBELL; bill of exchange, £100; guilty; death; hanged 5 October.

-----, p.341: William BATT; order to pay £25 16s 6d; acquitted.

21-26 October 1761, p.431: Samuel LEE; bill of exchange, £50; guilty; death; hanged 12 November. [See also AN, IV, 142-151.]

1762

9-12 December 1761, p.30: A--- R---; bill of exchange, £10 10s; acquitted.

15-18 September 1762, p.183: John KELLO; promissory note, £1000, to defraud private bank; guilty; death; hanged 13 October. [See also *MR*, IV, 232-239.]

20-22 October 1762, p.205: James FARR, William SPARRY and William BIDDLE; will; all guilty; death; hanged 10 November. [For SPARRY see perhaps above, 11-18 September, 1751.]

1763

8-13 December 1762, p.29: Thomas GOSWELL, attorney; deed, to receive mariner's wages; acquitted.

-----, p.31: Charlotte BANNERMAN, Alexander BANNERMAN and Richard COOPER; will; all acquitted.

14-17 January 1763, p.58: John DESCHAMPS, Sarah TOMPSON; note to pay £3 16s; both acquitted.

13-15 April 1763, p.131: John RICE, broker; letter of attorney to transfer South Sea Company Stock; guilty; death; hanged 4 May. [See also *A Genuine Account of the Remarkable Life and Transactions of John Rice, Broker* (1763); *AN*, IV, 91-95; *MR*, IV, 252-257; *CNC*, IV, 11-14;

Radzinowicz, *History of English Criminal Law*, I, 166-167;
THF, pp.165-172.]

14-20 September 1763, p.214: Abraham JUDAH; note to pay
£100; acquitted.

-----, p.232: William BARLOW and Jane DURANT; letter of
attorney to receive mariner's wages. BARLOW guilty;
death; DURANT acquitted. [Both gave evidence against
GOSWELL, 8-13 December 1762, in a prosecution apparently
designed to block their own.]

19-21 October 1763, p.255: John BROUGHTON; bill of
exchange, £49, to defraud Bank of England; guilty; death.

-----, p.266: Elizabeth PAGE; will; acquitted.

1764

7-12 December 1763, p.47: William RICHARDSON, waterman;
letter of attorney to receive mariner's wages; acquitted.
[Also gave evidence against GOSWELL, 8-13 December 1762,
and had some connection with BARLOW and DURANT, 14-20
September 1763.]

13-17 January 1764, p.81: John PRINCE; bill of exchange,
£125; guilty; death.

2-7 May 1764, p.155: Michael SAMPSON; bill of exchange,
£32 10s; guilty; death; later transported for life.

25-28 July 1764, p.269: Thomas MUCKLE; promissory note, £10; acquitted.

17-19 October 1764, p.340: Abraham WOOD; promissory note, £10; acquitted. [Same offence as MUCKLE, 25-28 July 1764.]

-----, p.345: John JONES and Alexander BOURK; order for goods; JONES guilty; death; moved in arrest of judgement and respited; BOURK acquitted.

1765

12-17 December 1764, p.3: Matthew JAMES; bill of exchange, £30; acquitted, but detained for crime in Surrey.

16-19 January 1765, p.58: Matthew JAMES; bill of exchange, £40 12s; guilty; death; hanged 13 February. [See 12-17 December 1764.]

27 February-2 March 1765, p.123: John COOK; receipt, £7 9s (for mariner's wages); guilty; death.

10-13 July 1765, p.249: Anthony VACHERON; promissory note, £20000; guilty; death; transported for life.

18-24 September 1765, p.311: Elizabeth DUNN; promissory note, £3 13s. 6d (for mariner's wages); guilty; death.

-----, p.315: Jane CARE and William RICHARDSON; receipt, for mariner's wages; both acquitted, but RICHARDSON remanded. [See above, 7-12 December 1763.]

1766

16-20 January 1766, p.77: John WILLSON; bill of exchange, £1000; guilty; death.

-----, p.81: James GIBSON, attorney; certificate for £437 13s 7d paid to Bank of England, concerning a case in Chancery; special verdict; sentenced 28 February-1 March 1768; hanged 23 March. [See also *The Case of James Gibson* (1768); *MR*, IV, 325-329; *Boswell's Column*, pp.343-348; *CNC*, IV, 58-59.]

19-24 February 1766, p.99: William LLOYD; mariner's will; acquitted.

-----, p.111: Hugh DIXON, cabinet maker; order to pay £26 19s; acquitted.

2-5 July 1766, p.254: Benjamin STRATFORD; bill of exchange, £30; acquitted, but detained for a crime in Surrey. [See also *The Life of the Celebrated Benjamin Stratford* (Guildford, 1766).]

3-8 September 1766, p.291: Charles PLEASANTS; promissory note, £22; acquitted.

1767

17-23 December 1766, p.25: William THORNHILL; bill of exchange, £20; guilty; death; hanged 14 January 1767.

-----, p.39: Samuel ORTON, attorney; letter of attorney to transfer £500 Bank of England stock; guilty; death; hanged 14 January 1767. [See also *A True and Genuine Account, &c* (BL, 578 e.21 (10)); AN, IV, 191-194; MR, IV, 300-303; CNC IV, 41-43.]

15-17 January 1767, p.65: William COLLINSON; bill of exchange, £16; guilty; death.

-----, p.75: James KEENE; bill of exchange, £8 8s; acquitted.

18-20 February 1767, p.124: Peter MCCAY; promissory note, £10, to defraud private bank; acquitted.

29 April-2 May 1767, p.161: John MCDONNELL, hatter; order to pay £50, to defraud private bank; guilty; death; hanged 10 June.

-----, p.166: Thomas SPINES, coachman; receipt, £9; guilty; death, but recommended to mercy; transported for life.

3-6 June 1767, p.214: Charles PLEASANTS; bills of exchange, £36, £20; acquitted, but detained for offence in Derby. [Previously tried, 3-6 September 1766.]

9-16 September 1767, p.326: James PENTECOST; promissory note, £22 10s 6d, to defraud private bank; acquitted, but detained on a charge of false pretences. [Later tried for this, 21-23 October 1767, p.363, and transported.]

1768

9-14 December 1767, p.30: Henry DOMINE, house broker; promissory note, £5; guilty; death; pardoned.

-----, p.33: Joseph WEDGEBOROUGH; bill of exchange; acquitted.

14-18 January 1768, p.62: Benjamin SMITH, mariner; receipt, £37 3s 1/4d, for mariner's wages; acquitted.

24 February-1 March 1768, p.134: Jacob CLEAVER; bill of sale, £4; acquitted.

7-13 September 1768, p.339: Richard HOLT; bill of exchange, £10, to defraud private bank; guilty; death; hanged 12 October.

-----, p.349: Elias TIPPET; bill of exchange, £12 5s. acquitted.

1769

7-10 December 1768, p.32: Moses ALEXANDER, merchant; bill of exchange, £135 13s; acquitted. [See below, 22-25 February and 28 June-3 July 1769.]

-----, p.37: William THOMAS; receipt; acquitted.

12-17 January 1769, p.47: Jonathan HALL; order to pay £18 18s; guilty; death; transported for life.

-----, p.51: Matthew SKINNER; order to pay £15 15s; acquitted.

-----, p.104: Thomas GRINDAL; order to pay £50; acquitted, but detained for offence in Huntingdonshire.

-----, p.116: John ALLEN; promissory note, £50; acquitted.

-----, p.123: William NOAH; lottery ticket; acquitted.

22-25 February 1769, p.190: Samuel FISHER; order to pay £15 15s, to defraud private bank; acquitted, but detained on a charge of fraud.

-----, p.199: Moses ALEXANDER, merchant; bill of exchange, £85 5s; acquitted. [See previously, 7-10 December 1768, and below, 28 June-3 July.]

5-8 April 1769, p.236: Richard BRACE; promissory note, £9 16s 6d; guilty; death; hanged 9 May.

10-13 May 1769, p.274: Jacob JOEL; order to pay £52 10s; acquitted.

28 June-3 July 1769, p.306: Moses ALEXANDER, merchant; bill of exchange, £98 6s; guilty; death; hanged 9 August.

[See above, 7-10 December 1768, 22-25 February 1769; *AN*, IV, 282-284; *MR*, IV, 366-371.]

6-13 September 1769, p.372: Hart JACOB; order to pay £16 18s; acquitted.

-----, p.375: John ANNING; bill of sale, to receive mariner's wages; guilty; death; hanged 18 October.

18-23 October 1769, p.449: George Seymour HALFORD; promissory note, £10.

1770

11-18 July 1770, p.314: Francis CUFF; bill of exchange, £50; acquitted.

1771

16-19 January 1771, p.80: Robert JOHNSON; order to pay £25; acquitted, but detained on a charge of fraud. [Convicted of this 20-27 February, p.80.]

15-21 May 1771, p.268: Robert POWELL; receipt for £400 East India Company stock; guilty; respited; sentenced to death 11 December; hanged 2 January 1772. [See also *The Whole Trials of Mr. Robert Powell, For Forging a Receipt... (1772)*; *MR*, V, 33-38.]

11-24 September 1771, p.447: Edward BURCH and Matthew MARTIN; will; guilty; respited; sentenced 11 December 1771; hanged 2 January 1772. [See also *The Whole Trials of Mr. Robert Powell... and of Edward Burch and Matthew Martin, for forging a paper-writing* (1772); *MR*, V, 25-33. Martin had a previous conviction for larceny.]

-----, p.492: James SEATON; bill of exchange, £25, to defraud private bank; acquitted.

23 October-1 November 1771, p.509: John DONALDSON; bill of exchange, £8; guilty; death; hanged 27 November.

1772

9-15 January 1772, p.98: William BARKER; order to pay £15 15s; acquitted.

19-25 February 1772, p.126: James BOLLAND, bailiff; promissory note, £100; guilty; death; hanged 18 March. [See also *Memoirs of James Bolland*, second edition (1772); *MR*, V, 38-59; *CNC*, IV, 77-86; *Boswell for the Defence*, p.37.]

29 April-8 May 1772, p.184: John VESTENBURG, book-keeper; order to pay £4500, to defraud Bank of England; acquitted.

3-9 June 1772, p.291: Charles LOCKET; orders to pay £15 15s, £16 10s 6d; guilty; death.

-----, p.300: Jacob ABRAHAMS; promissory note, £100; acquitted.

9-17 September 1772, p.374: John WILLIAMS; Bank of England note, £10; acquitted.

-----, p.381: Benjamin ROGERS; order to pay £300, to defraud private bank; guilty; death.

-----, p.397: John DAVIS and Richard RICKARDS; promissory note, £8 8s; both acquitted.

21-28 October 1772, p.415: Evan MAURICE; promissory note, £103 10s; guilty; death.

-----, p.440: Alexander KENNEDY; bond, £130; acquitted.

1773

9-16 and 23 December 1772, p.41: Benjamin BIRD; bill of exchange, £22 2s 4 1/4d; guilty; death.

14-20 January 1773, p.98: Thomas JEKYLL; order to pay £40, to defraud private bank; acquitted.

26 May-2 June 1773, p.266: John JOHNSON, grocer, and John GAHAGAN, instrument-maker; bill of exchange, £100; both guilty; death; JOHNSON hanged 30 June, GAHAGAN respited.

7-14 July 1773, p.347: William EAMES; Bank of England note, £50; guilty; death; hanged 11 August.

8-15 September 1773, p.367: Richard JACOBS; promissory note, £40; acquitted.

-----, p.414: John STERLING; will, to transfer £350 South Sea Company annuities; guilty; death, but recommended to mercy; hanged 27 October.

1774

8-14 December 1773, p.8: Robert JOHNSTON; bill of exchange, £22 10s, to defraud private bank; guilty; death; hanged 19 January 1775.

-----, p.24: Robert LEIGH; bill of exchange, £847 10s, to defraud private bank; guilty; death; hanged 27 January 1775.

13-20 April 1774, p.170: Abraham ABRAHAMS, clothier; order to pay £50, to defraud private bank; guilty; death; respited on point of law, but hanged 7 November 1774.

-----, p.182: George RECULEST; order to pay £5 5s; acquitted.

-----, p.193: James PARRY; promissory note, £42 2s; acquitted.

6-13 July 1774, p.400: Christopher SAUNDERS; receipt, £6 6s; acquitted.

7-13 September 1774, p.440: Christopher NANGLE, carver, and Mark LOVE; bill of exchange, to defraud Bank of England; NANGLE guilty; death; hanged 7 November; LOVE acquitted.

19-25 October 1774, p.467: William LEWIS, draftsman; order to pay £15, to defraud private bank; guilty; death.

1775

11-16 January 1775, p.88: Lyon ELCAN; receipt, £160; guilty; death.

15-21 February, p.151: William SHERWOOD; promissory note, £30; acquitted.

31 May-6 June 1775, p.211: Robert PERREAU, apothecary; bond, £7500; guilty; death; hanged 17 January 1776.

-----, p.210 (misnumbered): Daniel PERREAU; bond, £3300; guilty; death; hanged 17 January 1776. [See also *The Trial of Robert and Daniel Perreau's* (1775); *The True Genuine Lives, and Trials, &c. of the Two Unfortunate Brothers, Robert and Daniel Perreau* (1776?); *Mr. Daniel Perreau's Narrative of his Unhappy Case* (1775); *Genuine Memoirs of Messieurs Perreaus* (1776); *Forgery unmasked; or, Genuine Memoirs of the two unfortunate Brothers, Robert and Daniel Perreau* (1776); *Prudence Triumphant over Vanity and Dissipation; or the History of the Life,*

Character and Conduct of Mr. Robert and Mr. Daniel Perreau, and Mrs. Rudd (1776?); A Solemn Declaration of Daniel Perreau (1776); A Letter to the Right Hon. Earl of Suffolk... in which the Innocence of Robert Perreau is demonstrated (1775); AN, IV, 399-417; MR, V, 161-180; CNC, IV, 104-107; THF, PP.173-184; and see below, the trial of RUDD, 6 December 1775.]

12-17 July 1775, p.454: Joseph BEREAU; promissory note, £42; acquitted.

-----, p.460: Margaret ABBOT; promissory note, £4 7s; acquitted.

21

18-21 October 1775, p.578: Thomas TAYLOR, bill of exchange, £25; acquitted.

1

1776

6 December 1775, p.3: Margaret Caroline RUDD; bond, £5300; acquitted. [See previously, 13-19 September 1775, pp.493-498, and the trials of the PERREAU's, 31 May-6 June 1775. See also John Bailey, *The Trial at Large of Mrs. Margaret Caroline Rudd (1775)*; Thomas Gurney, *An account of the Arguments of Counsel... Upon the Question... whether Margaret Caroline Rudd ought to be tried (1775)*; *A Letter from Mrs. Christian Hart to Mrs. Margaret Caroline Rudd (1776?)*; *FACTS; or, a Plain and Explicit Narrative of the Case of Mrs. Rudd (1776)*; *Mrs Margaret Caroline Rudd's*

Case, Respecting Mr. R. Perreau, Considered (1776); *Mrs. M. C. Rudd's Genuine Letter to Lord Weymouth* (1776); *Authentic Anecdotes of the Life and Transactions of Mrs. Margaret Rudd*, 2 vols (1776) *Mrs. Stewart's Case*, written by herself (1789); *MR*, V, 181-185; *Boswell: The Ominous Years*, pp.299, 351-361; *Boswell: The English Experiment*, pp.8, 32-61, 137.]

17 April 1776, p.201: Edward BALL; promissory note, £133 12s 8d; acquitted.

22 May 1776, p.250: Stephen Howard AYRTON; order to pay £50; acquitted.

10 July 1776, p.331: Robert HOPWOOD; promissory note, £4 19s; acquitted.

11 September 1776, p.413: John HAGEN; order for goods; acquitted.

-----, p.420: Henry DANIEL; order to pay £21 7s, to defraud private bank; guilty; death, but recommended to mercy.

16 October 1776, p.440: William DAVIS, watchmaker; order for goods, to defraud East India Company; guilty; death; hanged 11 December. [See also Henry Foster, *Grace displayed; and Saul Converted* (1777); Thomas Maxfield, A

Short and Authentic Account of the Particular Circumstances of the last twenty-four hours of the Life and Death of William Davies. (1776).

1777

19. February 1777, p.94: William DODD, clergyman; bond, £4200, to defraud private bank; guilty; death; recommended to mercy; respited on point of law; sentenced at sessions of 14 May 1777 (pp.244-246); hanged 27 June. [See above, Chapter Five.]

-----, p.127: Mary DIKE; receipt for goods; acquitted.

-----, p.132: Joseph ARONES and Samuel NOAH; lottery tickets; acquitted.

-----, p.150: Daniel DENNY; lottery ticket; guilty; death; respited. [See also *St. James's Chronicle*, 11-15 February, 24-26 April 1777; *Gazetteer*, 17 February, 3, 30 April, 22 May; *Westminster Chronicle*, 26-28 February, 20-24 May 1777; *Whitehall Evening Post*, 29 April-1 May, 20-22 May 1777; *Daily Advertiser*, 21 May 1777]

9. April 1777, p.182: Mary THOMAS; promissory note, £50; guilty; death; recommended to mercy; respited. [See also *Morning Post*, 7 and 13 March, 16 May 1777; *Morning Chronicle*, 13, 14, 16 May 1777; *St. James's Chronicle*, 11-13 March, 1-3, 13-15 May 1777; *London Chronicle* 11-13 March, 12-15 April, 1-3, 13-15 May 1777; *Public Advertiser*

14 April, 3, 15 May 1777; *Westminster Gazette*, 13-17 May 1777; *GM*, XLVII (April 1777), p.193]

10 September 1777, p.304: John HARRISON, accountant; receipt, £3210, to defraud Bank of England and insurance company; guilty; death. [See also *MR*, V, 246-250; *CNC*, IV, 119-123.]

1778

18 February 1778, p.102: Thomas SHERWOOD, woollen-draper; letter of attorney, to transfer Bank of England stock; guilty; death; hanged 22 May.

21 October 1778, p.414: George GRAHAM; order to pay 10s; guilty; death. [Possibly sentenced to hard labour on the Thames; see 15 September 1779, p.402.]

-----, p.423: Daniel MURPHY; promissory note, £8 15s; acquitted.

1779

13 January 1779, p.137: Bartholomew DOMINICETTI; promissory note, £20; acquitted. [See also *MR*, V, 340-344.]

17 February 1779, p.171: Richard HADDRICK; receipt, 14s; acquitted.

19 May 1779, p.299: John MATTHIESON; Bank of England note, £20; guilty; death; hanged 28 July. [See also *Memoirs of the Life of John Matthieson* (1779); *General Advertiser*, 19 and 23 July 1779; *CNC*, IV, 141-142; *BEW*, p.207.]

20

20 October 1779, p.551: John TAYLOR; receipt, £20; guilty; death; hanged 6 December.

21

22

1780 - no cases.

23

24

25

26

27

28

b: Ratio of convictions to acquittals in forgery cases at
the Old Bailey, 1715-1779

Source: extracted from the foregoing list. The count is based on individuals, not cases; individuals are counted twice if tried at different sessions for different crimes; but once only if tried for more than one offence at the same sessions, or for the same crime at different sessions. The columns give the period of each section of the count, the total number of indictments for forgery, the number of individuals found guilty, with the percentage of the total in brackets, the number of individuals acquitted, with the percentage of the total in brackets, and other results (such as special or unknown verdicts).

1715

1720

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1730

1735

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PERIOD	CHARGED	GUILTY	ACQUITTED	OTHER
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1715-1719	30	23 (76.6)	6 (20)	1
1720-1724	22	9 (40.1)	13 (59.9)	-
1725-1729	16	10 (62.5)	6 (37.5)	-
1730-1734	21	7 (33.3)	13 (61.9)	1
1735-1739	20	5 (25)	14 (70)	1
1740-1744	23	8 (34.8)	15 (65.2)	-
1745-1749	24	9 (37.5)	13 (54.2)	2
1750-1754	55	29 (52.7)	26 (47.3)	-
1755-1759	32	13 (40.6)	19 (59.4)	-
1760-1764	33	16 (48.5)	17 (51.5)	-
1765-1769	45	19 (42.2)	26 (57.8)	-
1770-1774	34	19 (55.9)	15 (44.1)	-
1775-1779	28	13 (46.4)	15 (53.6)	-
-----	-----	-----	-----	-----
1715-1779	383	180 (46.9)	198 (51.7)	5

c: Comparison of indictments for forgery with indictments for other crimes in cases tried at the Old Bailey, 1715-1779.

Source: As for the Chronological List. The count proceeds on the same basis as the previous table. 'Coinage' indicates all offences against the coin or official marks of value such as duty stamps; 'Fraud' collects all offences of swindling, defrauding creditors, cheating at cards, obtaining goods by false pretences, and so on; 'Perjury' is limited to the swearing of false oaths in court; 'Homicide' indicates murder, manslaughter, felonious slaying, and so on, but not shooting or wounding.

PERIOD	TOTAL	FORGERY	COINING	FRAUD	PERJURY	HOMICIDE
1715-1719	2434	30 (1.23)	24 (0.98)	16 (0.65)	8 (0.32)	86 (3.53)
1720-1724	2517	22 (0.87)	14 (0.55)	24 (0.95)	25 (0.99)	100 (3.97)
1725-1729	2937	16 (0.54)	19 (0.65)	11 (0.37)	23 (0.78)	73 (2.44)
1730-1734	2845	21 (0.74)	16 (0.56)	19 (0.67)	19 (0.67)	76 (2.67)
1735-1739	2671	20 (0.75)	10 (0.37)	8 (0.3)	25 (0.94)	76 (2.85)
1740-1744	2609	23 (0.88)	3 (0.11)	3 (0.11)	21 (0.8)	69 (2.64)
1745-1749	2416	24 (0.99)	7 (0.29)	2 (0.08)	7 (0.29)	54 (2.24)
1750-1754	2868	55 (1.92)	8 (0.28)	10 (0.35)	40 (1.4)	58 (2.02)
1755-1759	1932	32 (1.66)	9 (0.47)	17 (0.88)	29 (1.5)	49 (2.54)
1760-1764	2043	33 (1.62)	4 (0.2)	25 (1.22)	23 (1.13)	58 (2.84)
1765-1769	2925	45 (1.54)	4 (0.14)	27 (0.92)	15 (0.51)	64 (2.19)
1770-1774	4090	34 (0.83)	45 (1.1)	24 (0.59)	26 (0.64)	58 (1.42)
1775-1779	3619	28 (0.77)	77 (2.13)	39 (1.08)	16 (0.44)	71 (1.96)
1715-1779	35906	383 (1.07)	236 (0.66)	224 (0.62)	277 (0.77)	892 (2.48)

d: A Select Chronological List of other Forgery cases
tried at the Old Bailey and elsewhere, 1686-1800

King's Bench, Easter 1686: Lady Theodosia IVIE; deeds; acquitted. [See *A Complete Collection of State Trials*, fourth edition, 11 vols (1776-1781), VII, 571-610; *The Lady Ivy's Trial for great Part of Shadwell*, edited by Sir J. C. Fox (Oxford, 1929).]

Old Bailey, 17 October 1693: Shadrach COOK, curate; nobleman's signature on a passport; guilty; fine. [See *The Tryal of Mr. Shadrach COOK* (1693); escaped the pillory by virtue of his clerical character.]

October 1695: Daniel PERRISMORE, japanner; Bank of England notes, £100; guilty; pillory, fine. [See Luttrell, *Brief Relation of State Affairs*, III, 513; BEW, pp.58-59.]

Old Bailey, 4 September 1697: Samuel OLDERSHAW and Thomas RAY; Exchequer bills, £40000; both guilty; pillory, fine.

King's Bench, 19 May 1698, 15 May 1699, 3 February and 17 June 1699: Benjamin BURTON, Excise cashier, John KNIGHT, Customs cashier, Charles DUNCOMBE, M.P.; Exchequer bills; BURTON guilty, moved in arrest of judgement; KNIGHT guilty, moved in arrest of judgement; DUNCOMBE acquitted. [The case against Robert MARRIOT was dropped in

consideration of his evidence; many others were involved. See above, Chapter One.]

Old Bailey, 12 October 1699: Mary BUTLER, alias STRICKLAND; bond, £40000; guilty; fine. [Died in Newgate. See *The Tryal and Conviction of Mary Butler* (1700), *A Complete Collection of Remarkable Tryals, of the Most Notorious Malefactors*, 2 vols (1718), I, 243-245; *CNC*, II, 85-86.]

Old Bailey, 13 October 1699: John BELLINGHAM; Exchequer bill, £40; guilty; death; hanged 27 October. [Possibly the first person to be executed for forgery. Previously acquitted of altering a Bank of England note; previously convicted of highway robbery. See Luttrell, *Brief Relation of State Affairs*, IV, 546; *CNC*, II, 114; *Complete Collection of Remarkable Tryals*, I, 228-234.]

March 1704: William BROWNE; letter of attorney to receive mariner's wages; guilty; pillory; fine. [See *The London Gazette*, 5-8 March 1704.]

Edinburgh, 8 May 1726: George HENDERSON, David HOUSEHOLD and Margaret NISBET or MACLEOD; bill of exchange, £58; HENDERSON acquitted; HOUSEHOLD guilty; death; pardoned; NISBET guilty; death; hanged. [See Hugo Arnot, *A Collection and Abridgement of Celebrated Criminal Trials*

in Scotland, from A.D. 1536, to 1784 (Edinburgh, 1785), pp.282-304.]

King's Bench, 1726-1727: John WARD, M.P.; receipt for goods; guilty; pillory, fine, prison. [See above, Chapter One.]

King's Bench, 1729-1731: Japhet CROOK; lease; guilty; pillory, mutilation, forfeiture of goods, prison. [See above, Chapter One.]

Edinburgh, 1748: John YOUNG; Bank of Edinburgh notes; guilty; death; hanged 19 December 1748. [See *MR*, III, 174-180.]

Oxford, 1749: Paul WELLS, lawyer; receipt, £9; guilty; death; hanged 1 September 1749. [See *An Authentic Account of the Life of Paul Wells, Gent.* (1749); Hardwicke to Newcastle, 13 August 1749, BL Add. MSS. 32719, f. 50.]

Winchester, 1749: Robert COX, naval clerk; mariner's tickets; guilty; death; hanged 1 September 1749.

Gloucester, Lent 1756: Edward WILSON; bills of exchange, £4000; guilty; death; respited. [See John Styles, 'Sir John Fielding and the Problem of Criminal Investigation in Eighteenth-Century England', *Transactions of the Royal*

Historical Society, 5th series (1983), pp.127-149, at pp.129-131.]

Guildford, 1766: Benjamin STRATFORD, naval officer; bills of exchange, £82 10s; guilty; death; respited; hanged 6 September 1766. [See *The Life of the Celebrated Benjamin Stratford* (Guildford, 1766); for his previous trial at the Old Bailey, see the Chronological List, 2-5 July 1766.]

Edinburgh, 10 March 1770: William HARRIES, merchant; notes of the Thistle Bank, Glasgow; guilty; death; hanged 30 May 1770. [See *An Account of the Life of Mr. William Harries, Late Merchant in Air* (Edinburgh, 1770); *Scots Magazine*, XXXI (December 1769), 669 and XXXII (June 1770), p.337; *Boswell for the Defence*, pp.8-9.]

Bristol, 30 July 1771: Jonathan BRITAIN, teacher, attorney's clerk; bill of exchange, £45; guilty; death; hanged 15 May 1772. [See *The Rev. Mr. Talbot's Narrative of the whole of his Proceedings Relative to Jonathan Britain* (Bristol and London, 1772); *MR*, V, 59-77; *CNC*, IV, 86-89.]

Guildford, 31 July 1778: Joshua CROMPTON; Bank of England note; guilty; death; hanged 20 August 1778. [See *The Genuine Memoirs of Joshua Crompton* (1778); *Genuine Memoirs of the Life of Joshua Crompton* (1778).]

Edinburgh, 23 February and 12 August 1780: David REID; Bank of Scotland note; guilty; death; hanged 13 September 1780. [See *Scots Magazine*, XLII (October 1780), p.554; *Boswell, Laird of Auchinleck*, pp.183, 226.]

Old Bailey, January 1781: George WESTON; bills of exchange, £200, £40, £30, £100, £24; guilty; death; escaped; recaptured; hanged 3 September 1782. [Previously convicted at Warwick, August 1778. See *Genuine Memoirs of the Lives of George and Joseph Weston*, fourth edition (1782).]

Old Bailey, 14 September 1782: John GRAHAM, tutor, and Jane GRAHAM; Bank of England note, £50; both guilty; death; John GRAHAM hanged October 1782. [Couple were married. John GRAHAM previously convicted of possession of an engraved plate, October 1781. See *Genuine Memoirs of the Life of John Graham, A.M.* (1782); *GM*, LII (September and October 1782), pp.452, 500; Radzinowicz, *History of English Criminal Law*, I, 426.]

Bristol, 30 April 1783: William MORLEY; bill of exchange, £25; guilty; death; hanged 23 May 1783. [See *Genuine Memoirs of the Lives of William Morley and William Shutler* (Bristol, 1783).]

Old Bailey, 26 July 1783: William Wynne RYLAND, engraver; bills of exchange, to defraud East India Company; guilty; death; hanged 29 August 1783. [See *London Magazine*, LII (April 1783), pp.159-160; *Authentic Memoirs of William Wynne Ryland* (1784); *CNC*, IV, 156-158; *THF*, pp.194-206.]

Newcastle, 1783: William ALEXANDER; hanged 7 November 1783. [See *A Genuine Copy of the Last Words and Dying Thoughts of William Alexander* (Newcastle, 1783).]

Old Bailey, June 1785: Robert JACKSON; letter of attorney to receive mariner's wages; guilty; death; hanged 6 July 1785. [See *GM*, LV (July 1785), pp.566-567; Reynolds to Boswell, 7 July 1785, *Correspondence of Boswell with Members of the Club*, p.199; *Boswell: The Applause of the Jury*, pp.318-319.]

Old Bailey, 1786: Charles PRICE; Bank of England notes; guilty; death; committed suicide on 25 January 1786. [See *The Life of that Extraordinary Character, Mr. Charles Price* (1786); *An Authentic Account of Forgeries and Frauds of Various Kinds Committed by that consummate Adept in Deception, Charles Price* (1786); *A Minute and Particular Account of that Arch Impostor, Charles Price* (1786); *Memoirs of a Social Monster; or, The History of Charles Price* (1786); *CNC*, IV, 159-164; *BEW*, p.238.]

Shrewsbury, 1789: Thomas PHIPPS, senior, and Thomas PHIPPS, junior; note of hand; both guilty; death; hanged 5 September 1789. [See *CNC*, IV, 174-175.]

Old

Old Bailey, 1790: John DYER; bill of exchange, £10 10s; guilty; death; hanged 5 August 1790. [See *CNC*, IV, 177.]

Old

Old Bailey, 17 September 1790: Francis FONTON, bank clerk; Bank of England stock transfers; guilty; death; hanged 24 November 1790. [See *Genuine and Impartial Memoirs of Francis Fonton* (1790); William Love, *The Ability of Jesus Christ to save sinners*, second edition (1790).]

Old

Old Bailey, 1792: Shadrach SHAW and Richard HANDS; Bank of England Stock transfers; SHAW guilty; transportation; HANDS fled. [See *BEW*, pp.251-252.]

Inverness

Inverness, 1 May 1793: John GRANT, sheriff-clerk; bill of exchange, £20; guilty; death; recommended to mercy; transportation. [See *The Trial of John Grant, Sheriff-Clerk Depute of the Shire of Inverness* (Edinburgh, 1793).]

Old

Old Bailey, 16 May 1796: Henry WESTON, clerk; power of attorney to transfer Bank of England stock; guilty; death; hanged 6 July 1796. [See *CNC*, IV, 212-214; *THF*, PP.207-211.]

1796: John ROBERTS; Bank of England note, £5; guilty; death; hanged 6 July 1796. [See *THF*, p.211.]

Old Bailey, 1798: Robert Ladbroke TROYT, attorney's clerk; order, to defraud private bank; guilty; death; hanged 28 November 1798. [See *The Last dying speeches and confessions, lives and adventures, of the three unfortunate malefactors... Dennis Nugent... Robert Troyt... and Ann Warner* (1798); *CNC*, IV, 228-229.]

Chelmsford, 7 March 1800: John TAYLOR; bill of exchange, £820 10s, to defraud private bank; guilty; motion in arrest of judgement; discharged on error in indictment. [See *The Tryal of John Taylor, For Forgery, before the Hon. Mr. Baron Hotham* (Chelmsford, 1800); *Annual Register*, XLII (1800), *Chronicle*, 30 March, pp.6-7; *GM*, LXX (April 1800), 269-270; Radzinowicz; *History of English Criminal Law*, I, 100.]

Old Bailey, 1800: John Osborn DAWSON, clerk in merchant's house; hanged 5 June 1800. [See William Maurice, *Mercy Triumphant; A Discourse... occasioned by the death of John Osborn Dawson* (1800).]

Dublin, 5 August 1800: Arthur WALLACE, assistant-deputy post master; note; guilty; death; hanged 16 August 1800.

[See *The Trial of Arthur Wallace... for stealing notes out of the Post Bag, and for FORGERY* (Dublin, 1800).

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APPENDIX TWO

An Act for the more effectual preventing, and further Punishment of Forgery, Perjury, and Subornation of Perjury; and to make it Felony to steal Bonds, Notes, or other Securities, for Payment of Money.

WHEREAS the wicked, pernicious, and abominable Crimes of Forgery, Perjury, and Subornation of Perjury, have of late time been so much practised, to the Subversion of common Truth and Justice, and Prejudice of Trade and Credit, that it is necessary, for the more effectual preventing of such enormous Offences, to inflict a more exemplary Punishment on such Offenders, than by the Laws of this Realm can now be done; be it therefore enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person, from and after the Twenty ninth Day of June, in the Year of our Lord One thousand seven hundred and twenty nine, shall falsely make, forge, or counterfeit, or cause, or procure to be falsely made, forged, or counterfeited, or willingly act or assist in the false making, forging or counterfeiting any Deed, Will, Testament, Bond, Writing obligatory, Bill of Exchange, promissory Note for Payment of Money, Indorsement or Assignment of any Bill of Exchange, or

promissory Note for Payment of Money, or any Acquittance or Receipt, either for Money or Goods, with Intention to defraud any Person whatsoever, or shall utter, or publish as true, any false, forged, or counterfeited Deed, Will, Testament, Bond, Writing obligatory, Bill of Exchange, promissory Note for Payment of Money, Indorsement or Assignment of any Bill of Exchange, or promissory Note for Payment of Money, Acquittance, or Receipt, either for Money or Goods, with Intention to defraud any Person, knowing the same to be false, forged, or counterfeited, then every such Person, being thereof lawfully convicted according to the due Course of Law, shall be deemed guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy.

And for the more effectually to deter Persons from committing wilful and corrupt Perjury, or Subornation of Perjury, be it further enacted by the Authority aforesaid, That, besides the Punishment already to be inflicted by the Law for so great Crimes, it shall and may be lawful for the Court, or Judge, before whom any Person shall be convicted of wilful and corrupt Perjury, or Subornation of Perjury, according to the Laws now in being, to order such Person to be sent to some House of Correction within the same County, for a time not exceeding Seven Years, there to be kept to hard labour during all the said Time, or otherwise to be transported to some of his Majesty's Plantations, beyond the Seas, for a Term not exceeding

Seven Years, as the Court shall think most proper; and thereupon Judgement shall be given, That the said Person convicted shall be committed, or transported accordingly, over and beside such Punishment as shall be adjudged to be inflicted upon such Person, agreeable to the Laws now in being; and if Transportation be directed, the same shall be executed in such manner as is or shall be provided by the Law for the Transportation of Felons; and if any Person so committed or transported shall voluntarily escape, or break Prison, or return from Transportation, before the Expiration of the Term for which he shall be ordered to be transported, as aforesaid, such Person, being thereof lawfully convicted, shall suffer Death as a felon, without Benefit of Clergy, and shall be tried for such Felony in the County where he so escaped, or where he shall be apprehended.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, after the said Twenty ninth Day of June, shall steal or take by Robbery any Exchequer Order or Tallies, or other Orders, intitling any other Person or Persons to any Annuity or Share in any Parliamentary Fund, or any Exchequer Bills, Bank Notes, South Sea Bonds, East India Bonds, Dividend Warrants of the Bank, South Sea Company, East India Company, or any other Company, Society, or Corporation, Bills of Exchange, Navy Bills, or Debentures, Goldsmiths Notes for Payment of Money, or other Bonds, or Warrants, Bills, or Promissory

Notes for the Payment of any Money, being the Property of any other Person or Persons, or of any Corporation, notwithstanding any of the said Particulars are termed in Law a Chose in Action, it shall be deemed and construed to be Felony, of the same Nature, and in the same Degree, and with or without the Benefit of Clergy; in the same manner as it would have been, if the Offender had stolen or taken by Robbery, any other Goods of like Value with the Money due on such Orders, Tallies, Bills, Bonds, Warrants, Debentures, or Notes, or secured thereby, and remaining unsatisfied, and such Offender shall suffer such Punishment as he or she should or might have done, if he or she had stolen other Goods of the like Value with the Moneys due on such Orders, Tallies, Bonds, Bills, Warrants, Debentures, or Notes respectively, or secured thereby, and remaining unsatisfied, any Law to the contrary thereof in any wise used notwithstanding.

Provided, That nothing in this Act contained shall extend, or be construed to extend, to that Part of Great Britain called Scotland.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Attainder for any Offence hereby made Felony, shall make or work any Corruption of Blood, Loss of Dower, or Disherison of Heirs.

And be it enacted by the Authority aforesaid, That this Act shall continue and be of force for the space of Five Years, to be reckoned from the said Twenty ninth Day of

June, in the Year of our Lord One thousand seven hundred and twenty nine, and from thence to the End of the then next Session of Parliament, and no longer.

Source: the printed copy in the Library of Lincoln's Inn.
Italics are here used to represent the black letter of the original.

APPENDIX THREE: TEXT ILLUSTRATIONS

The Right and True HISTORY
Of the wicked
LIFE and ACTIONS

Of the Lady Lawley, and
Sir Peter Stranger,



Who was Tried for Perjury and Forgery, on Monday the 31st of May, at the Court of King's Bench Westminster; and on the Pillory at Charing-Cross had his Ears cut off close to his Head, his Nostrils slit, and sear'd up with a hot Iron, to forfeit his Goods and Chattels, and be imprison'd during Life.

Containing a true Account of his Trial and Examination; and in what Manner he cheated Orphans, for which he was convicted. Likewise his Pranks in London and Westminster; his Journey to Scotland and Ireland, and what Usage he met with in those Kingdoms for his Roguery,

Swear it, Sir Peter, I'll swear any thing.



I Matthew Tindall do make this my last will and Testament
 In manner following. I give and Bequeath unto my servant
 Hannah Anthony if she live with me at the time of my
 Decease the sum of fifty two pounds ten shilling and also
 I give and bequeath unto Eustace Budgell Esq^r the sum of two thousand
 one hundred pounds that his great Talents may serve his Country.
 I give and bequeath unto the widow Lucy Price the translation
 of Rapins History of England in fifteen volumes by my nephew
 Tindall. I give and bequeath unto Eustace Budgell Esq^r my strong
 Box my diamond ring and all my manuscript Books papers and
 writings, and I do hereby desire the Said Eustace Budgell to print
 the second part of Christianity as old as the Creation, and also my
 other works collected in a volume of which I will give him a
 list if ^{he} should not like to print them my self, and I do hereby
 make the Said Eustace Budgell my Executor to the end that
 no other Person whatsoever may have any power over or any
 to do with my Said Books papers and writings and I doe
 make my Nephew Nicholas Tindall my Residuary Legatee and
 my Executor and I do revoke all former wills by me
 made In witness whereof I do hereunto put my hand
 and seal this seventh Day of August in the year of our
 Lord one thousand seven hundred and thirty three

Signed Sealed and Published
 in the Presence of

Marytt Leigh

Samuel Tuckey

Mat Tindall



L.G.54

S^r

I have a letter for you from Dr Tindal which very nearly concerns you; and which my old friend when he was dying made me promise I would deliver into your own hands; I should have waited upon you with it sooner; but I have been very much indisposed since the Dr's Death I am now here. but if you are busy be Pleased to let me know when I shall wait upon you with the Dr's Letter and something he desired me to tell you. S^r I have no favours to ask; what I do is only to fulfill my promise to my dying friend; a man who I am sure wished you well and had a very great respect for you; I am S^r your most humbl^e.
 Servant Lucy Price

Sept^r 4th 1733

2034a

1 July 1733

2/7
 I thank you for all favours; if I dye I hope
 you will pay my Executors what I should
 have had; I cant live: Take the advice of a
 dying friend: Be reconciled to m^r Budgett
 if possible.

I am yr most devoted
 P^s Credit m^r Price who
 has promised to give you
 this Letter. Yours servant

August 7th 11th
 1733

Matt. Indell

APPENDIX FOUR: WRITING AND FORGERY: PICTURES





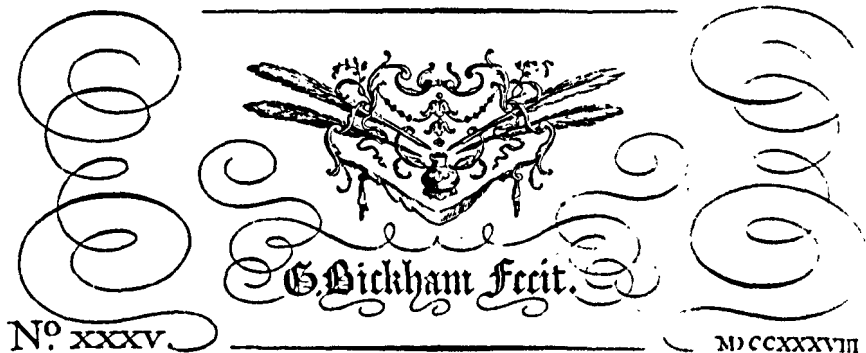
Promissory Notes.

A Promissory Note mentioning Order is indorsible from one Person to another; which is done by the present Possessor's writing his Name on the Back of it, and delivering it up to the Party, to whom he intends to assign over his Property therein. —

It is unnecessary to have a Promissory Note payable to Bearer indorsed, if you are satisfy'd the Note is good: And if a Note be indorsed, it is necessary to write a Receipt thereon, to prevent its being negotiated, after it is paid and deliver'd up. —

If the Drawer of a Note refuses Payment, the Note is good against the Indorser. — The delivering up a Promissory Note to the Person who sign'd it is a sufficient Voucher of its being paid, nor is there any Occasion of writing a Receipt thereon. —

Promissory Notes, and Book-Debts, if not legally demanded in six Years, cannot be recover'd by Law: And if you keep a Promissory Note upon Demand, in your own Hands above three Days, and the Person it's upon should fail, the Loss will be your own; but if he fail within the three Days it will light on the Person that paid it you. Let all Notes be made for Value receiv'd, and in the Form of these that follow.







The DISTRESSED POET, OR A TRUE

The painting from which the engraving was taken of the distressed poet, was the work of a friend of the unfortunate

Chatterton. This friend drew him in the situation in which he is represented in this plate. Anxieties and cares had advanced his life, and given him an older look than was suited to his age. The sorry apartment portrayed in the print, the folded bed, the broken utensil below it, the bottle, the smoking candle, and the disorderly raiment of the bard are not inventions of fancy. They were realities, and a satire upon an age and a nation of which generosity is doubtless a conspicuous characteristic.

But poor Chatterton was born under a bad star; his passions were too impetuous, and in a distracted moment he deprived himself of an existence, which his genius, and the fostering care of the public, would undoubtedly have rendered comfortable and happy. Unknown and miserable while alive, he now calls forth curiosity and attention. Men of wit and learning employ themselves to celebrate his talents, and to express their approbation of his writings. Hard indeed was his fate, born to adorn the times in which he lived, yet compelled to fall a victim to pride and poverty! His destiny, cruel as it was, gives a charm to his verses, and while the bright thought excites admiration, the recollection of his miseries awakens a tender sympathy and sorrow. Who would not wish that he had been so fortunate, as to relieve a fellow creature so accomplished from wretchedness, despair, and suicide?

Representation of the unfortunate CHATTERTON.



Written on reviewing the PORTRAIT OF CHATTERTON

Ah! what a contrast in that face portray'd,
Where care and study cast alternate shade,
But view it well, and ask thy heart the cause.

Then chide, with honest wrath, what cold applause
Which counteracts the full ring-leash of praise.
And shades with cyphers the young Bards lays

Blind and dejected, mark, how genius thrives
With poverty, and mark, how well it thrives
The shabby covering of the gentle bard.

Regard it well, his worthy thy regard,
The friendly cobweb, serving for a screen,
The chaos part of what it once had been.

The bed, whereon the unhappy victim slept,
And oft unseen, in silent anguish, wept,
Or spent in dear delusive dreams, the night,

To wake, next morning but to curse the light,
Too deep distress the artist's hand reveals.
But like a friend, the blackning deed conceals.

Thus justice, in mild complacency, bends,
And candour, all harsh inference, suspends,
Enthron'd, supreme in judgment, mercy sits.

And in one breath, condemns, applauds, or quits,
Whoe'er thou art, that shalt this face survey,
And turn, with cold disgust, thy eyes away.

Then blest thyself, that sloth and ignorance bred
Thee up in safety, and with plenty fed,
Hence to thy memory! may the fable plume

Of dulness, round thy forehead ever bloom!
Might thou, not can I wish a greater curse,
Lew full disgust, and die without a nurse.

Or, if some wither'd hag, for sake of hire,
Should wail thy story, and create thee famous o'er,
Let her when hunger perversely demands

The dirty model from her barbarous hands,
Insult with bellicious mirth, thy cowering now,
And smutch it to herself, and call it love.

Till pinching famine waste thee to the bone,
And break, at last, that solid heart of stone.







Which way shall I resolve?



M^{RS} RUDD.



ME Danl Perreau, servant M^{rs} Roub. to Sign the Bond.



ME Robt Perreau his Wife and Children Visit him in Prison.





Dr. Dodd composing his 'Thoughts in Prison.'

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